

THE NATIONAL ARCHIVES FEDERAL REGISTER OF THE UNITED STATES

VOLUME 20 1934 NUMBER 242

Washington, Wednesday, December 14, 1955

TITLE 3—THE PRESIDENT

PROCLAMATION 3121

UNITED NATIONS HUMAN RIGHTS DAY, 1955
BY THE PRESIDENT OF THE UNITED STATES
OF AMERICA
A PROCLAMATION

WHEREAS December 10, 1955, marks the seventh anniversary of the proclaiming of the Universal Declaration of Human Rights by the General Assembly of the United Nations as a common standard of achievement for all nations and all peoples, and will be observed by the members of the United Nations as Human Rights Day; and

WHEREAS December 15, 1955, marks the one hundred and sixty-fourth anniversary of the adoption of our Bill of Rights as the first ten Amendments to the Constitution of the United States; and

WHEREAS the great fundamental of our national life is our common belief that every human being is divinely endowed with dignity and worth and with inalienable rights, and that to grow and flourish people must be free; and

WHEREAS one of the great purposes of our Government is to maintain freedom and justice among ourselves and to champion them for others so that we may work effectively for enduring peace:

NOW THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America, do hereby proclaim December 10, 1955, as United Nations Human Rights Day. I do call upon the people of the United States to celebrate this day by the study and reading of the Universal Declaration of Human Rights proclaimed by the United Nations, and the Bill of Rights in the Constitution of the United States, that we may strengthen our determination that every citizen of the United States shall have the opportunity to develop to his fullest capacity in accord with the faith which gave birth to this nation, and may realize more fully our obligation to labor earnestly, patiently, and prayerfully for peace, freedom, and justice throughout the world.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this Eighth day of December in the year of our Lord nineteen hundred and [SEAL] fifty-five, and of the Independence of the United States of America the one hundred and eightieth.

DWIGHT D. EISENHOWER

By the President:

JOHN FOSTER DULLES,
Secretary of State.

[F. R. Doc. 55-10073; Filed, Dec. 12, 1955;
4:50 p. m.]

TITLE 7—AGRICULTURE

Chapter I—Agricultural Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 47—RULES OF PRACTICE UNDER THE PERISHABLE AGRICULTURAL COMMODITIES ACT

OFFICIAL NOTICE; ISSUANCE OF ORDER

By virtue of the authority vested in the Secretary of Agriculture by the Perishable Agricultural Commodities Act, 1930, as amended (46 Stat. 531; 7 U. S. C. 493a et seq.), the rules of practice issued thereunder (7 CFR Part 47) are hereby amended as follows:

1. In § 47.32 (e) (7) *Official notice* strike from the proviso the parenthetical phrase "(except where official notice is taken, for the first time in the proceeding, in the final order)"

2. In § 47.41 (b) *Issuance of order* strike the language immediately preceding the proviso and insert in lieu thereof the following: "The order shall be issued and filed with the Hearing Clerk who shall serve it forthwith upon the parties as the final order in the proceeding:"

(Sec. 15, 46 Stat. 537, as amended; 7 U. S. C. 499o)

Done at Washington, D. C., this 9th of December 1955, to be effective upon publication in the FEDERAL REGISTER.

[SEAL] FRANK E. BLOOD,
Acting Deputy Administrator,
Agricultural Marketing Service.

[F. R. Doc. 55-10044; Filed, Dec. 13, 1955;
8:50 a. m.]

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CFR SUPPLEMENTS (For use during 1955)

The following Supplement is now available:

General Index (\$1.25)

All of the Cumulative Pocket Supplements and revised books of the Code of Federal Regulations (as of January 1, 1955) are now available with the exception of Titles 1-3

Order from Superintendent of Documents, Government Printing Office, Washington 25, D. C.

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TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 9—AVIATION SERVICES

In the matter of revision of Part 9 of the Commission's rules and regulations to effect certain editorial changes therein.

The Commission having under consideration the desirability of making certain editorial changes in Part 9 of its rules and regulations; and

It appearing that the amendments adopted herein are editorial in nature, and, therefore, prior publication of notice of proposed rule making under the provisions of section 4 of the Administrative Procedure Act is unnecessary, and the amendments may become effective immediately* and

It further appearing that the amendments adopted herein are issued pursuant to authority contained in sections 4 (i) 5 (d) (1) and 303 (r) of the Communications Act of 1934, as amended, and section 0.341 (a) of the Commission's Statement of Organization, Delegations of Authority and Other Information;

It is ordered, This 8th day of December 1955, that, effective December 14, 1955, Part 9—Aviation Services, of the Commission's rules and regulations is revised as set forth below:

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

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AUTHORITY: §§ 9.1 to 9.1205 issued under sec. 4, 48 Stat. 1082, as amended; 47 U. S. C. 154. Interpret or apply sec. 303, 48 Stat. 1082, as amended; 47 U. S. C. 303.

SUBPART A—GENERAL INFORMATION

§ 9.1 *Basis and purpose.* (a) The basis for the rules contained in this part is the Communications Act of 1934, as amended, and applicable treaties and agreements to which the United States is a party. The rules in this part are issued pursuant to the authority contained in Title III of the Communications Act of 1934, as amended, which vests authority in the Federal Communications Commission to regulate radio transmissions and to issue licenses for radio stations.

(b) The purpose of the rules in this part is to prescribe the manner and conditions under which portions of the radio spectrum may be made available for radio communication and navigation facilities to aircraft operators, aeronautical enterprises and organizations which require radio transmitting facilities for safety purposes or other necessity.

§ 9.2 *General citizenship restrictions.* A station license may not be granted to or held by:

(a) Any alien or the representative of any alien;

(b) Any foreign government or the representative thereof;

(c) Any corporation organized under the laws of any foreign government;

(d) Any corporation of which any officer or director is an alien;

(e) Any corporation of which more than one-fifth of the capital stock is

owned of record or voted by Aliens or their representatives; a foreign government or representative thereof; or any corporation organized under the laws of a foreign country.

(f) Any corporation directly or indirectly controlled by any other corporation of which any officer or more than one-fourth of the directors are aliens, if the Commission finds that the public interest will be served by the refusal or revocation of such license; or

(g) Any corporation directly or indirectly controlled by any other corporation of which more than one-fourth of the capital stock is owned of record or voted by Aliens or their representatives; a foreign government or representatives thereof; or any corporation organized under the laws of a foreign government, if the Commission finds that the public interest will be served by the refusal or revocation of such license.

§ 9.3 *Definition of terms.* For the purpose of this part the following definitions are applicable:

Aeronautical advisory station. An aeronautical station used for advisory and civil defense communications with private aircraft stations.

Aeronautical enroute station. An aeronautical station carrying on a service with aircraft stations, but which may also carry on a limited communication service with other aeronautical enroute stations.

Aeronautical fixed service. A fixed service intended for the transmission of information relating to air navigation, preparation for and safety of flight.

Aeronautical fixed station. A station in the aeronautical fixed service.

Aeronautical marker beacon station. A radionavigation land station in the aeronautical radionavigation service which provides a signal to designate a small area above the station.

Aeronautical metropolitan station. An aeronautical station used for communication with aircraft, including helicopters, operating between a main air terminal of a metropolitan area and subordinate landing areas.

Aeronautical mobile service. A mobile service between aircraft stations and aeronautical stations, or between aircraft stations.

Aeronautical public communication service. A communication service carried on between aircraft and land radio stations for the purpose of providing a public communication service for persons aboard aircraft.

Aeronautical public service station. A radio station, ground or aircraft, operated in the aeronautical public communication service.

Aeronautical station. A land station in the aeronautical mobile service, carrying on a service with aircraft stations. In certain instances an aeronautical station may be placed on board a ship.

Aeronautical radionavigation service. A radionavigation service intended for the benefit of aircraft.

Aeronautical utility land station. A land station located at airdrome control towers and used for control of ground vehicles and aircraft on the ground at airdromes.

Aeronautical utility mobile station. A mobile station used for communication, at airdromes, with the aeronautical utility land station, ground vehicles, and aircraft on the ground.

Aircarrier aircraft station. An aircraft station aboard an aircraft engaged in, or essential to, transportation of passengers or cargo for hire. For the purpose of these rules with the exception of § 9.1002, an aircraft weighing less than 10,000 lbs. may be considered, at the option of the applicant, as a private aircraft even though actually engaged in air carrier operations. The election by the applicant will determine the application form to be used, the equipment and frequencies to be employed and the regulations applicable to the aircraft radio station.

Aircraft station. A mobile station installed on board any type of aircraft and continuously subject to human control.

Airdrome control station. An aeronautical station providing communication between an airdrome control tower and aircraft.

Altitude station. A radio navigation mobile station, in the aeronautical radionavigation service, the emissions of which are intended to determine the altitude of the aircraft, aboard which the altimeter station is located, above the earth's surface.

Aviation services. Aviation services are primarily for the safe, expeditious and economical operation of aircraft. They include the aeronautical fixed service, aeronautical mobile service, aeronautical radionavigation service, and secondarily, the handling of public correspondence to and from aircraft.

Civil Air Patrol Land Station. A land station used exclusively for communications of the Civil Air Patrol.

Civil Air Patrol Mobile Station. A mobile station used exclusively for communications of the Civil Air Patrol.

Fixed service. A service of radiocommunication between specified fixed points.

Fixed service. A station in the fixed service.

Flight test aircraft station. An aircraft station aboard an aircraft used for the transmission of essential communications in connection with the tests of aircraft or major components of aircraft.

Flight test station. An aeronautical station used for the transmission of essential communication in connection with the testing of aircraft or major components of aircraft.

Flying school aircraft station. An aircraft station aboard an aircraft used for communications pertaining to instructions to students or pilots while actually operating aircraft.

Flying school station. An aeronautical station used for radiocommunication pertaining to instructions to students or pilots while actually operating aircraft.

Glide path station. A directional radio beacon associated with an instrument landing system which provides guidance in the vertical plane to an aircraft for the purpose of approach in landing.

Ground radio station. Any radio station on the ground equipped or engaged

in radio communication or radio transmission of energy.

Landing area. Any locality either land or water, including airports and intermediate landing fields, which is used, or intended to be used, for the landing and take-off of aircraft, whether or not facilities are provided for shelter, servicing, or repair of aircraft, or for receiving or discharging passengers or cargo.

Land station. A station in the mobile service not intended for operation while in motion.

Localizer station. A radionavigation land station in the aeronautical radionavigation service which provides signals for the lateral guidance of aircraft with respect to a runway center line.

Mobile service. A service of radio-communication between mobile and land stations, or between mobile stations.

Mobile station. A station in a mobile service intended to be used while in motion or during halts at unspecified points.

Omnidirectional range station. A radionavigation land station in the aeronautical radionavigation service providing direct indication of the bearing (omni bearing) of that station from an aircraft.

Operational fixed station. A fixed station, not open to public correspondence, operated by and for the sole use of those agencies operating their own radio-communication facilities in the Public Safety, Industrial, Land Transportation, Marine, or Aviation Service.

Private aircraft station. An aircraft station on board an aircraft not operated as an air carrier.

Radiobeacon station. A radionavigation station the emissions of which are intended to enable a mobile station to determine its bearing or its direction in relation to the radiobeacon station.

Radiolocation. Determination of a position or of a direction by means of the constant velocity or rectilinear propagation properties of Hertzian waves.

Radiolocation service. A service involving the use of radionavigation.

Radionavigation. Radiolocation intended solely for the determination of position or direction or for obstruction warning, in navigation.

Radionavigation station. A station in the radionavigation service.

Radionavigation service. A radiolocation service involving the use of radionavigation.

Radio range station. A radionavigation land station in the aeronautical radionavigation service providing radial equisignal zones.

Surveillance radar station. A radionavigation land station in the aeronautical radionavigation service employing radar to display the presence of aircraft within its range.

Telemetry. Telemetry is the automatic transmission of instrument readings.

SUBPART B—APPLICATIONS AND LICENSES

§ 9.101 *Applications made on prescribed forms.* Applications for authorizations for stations in the aviation services shall be submitted on the prescribed forms which may be obtained from the Washington, D. C. office of the Commission, or from any of its field offices.

§ 9.102 *Place of filing.* Each application for authorization for stations in the aviation services shall be filed with the Federal Communications Commission, Washington 25, D. C.

§ 9.103 *Subscription and verification of applications.* One copy of each application for authorization in the aviation services shall be personally subscribed and verified by the applicant or, if a corporation, by an authorized official of the applicant. Subscription and verification may be made by the attorney for the applicant (a) in case of physical disability of the applicant or (b) his absence from the continental United States.

§ 9.104 *Contents of applications.* Each application shall be specific and complete with regard to frequency, power, equipment, location, and other information required by the application form.

§ 9.105 *Aircraft radio station licenses—(a) Application for aircraft radio station license.* (1) Application for new or modified aircraft radio station license shall be submitted on FCC Form 404, Application for Aircraft Radio Station License.

(2) An air carrier, in submitting applications for aircraft radio station licenses, may specify on a single FCC Form 404, the total number of air carrier aircraft radio stations in the fleet. Such an application may include a request for a single instrument of authorization for the operation of all radio stations aboard the aircraft of the fleet. A report shall be filed annually with the Commission specifying the type and registration number of each aircraft in the fleet.

(3) Any scheduled U. S. air carrier, conducting operations pursuant to an interchange or lease agreement authorized by the Civil Aeronautics Board, may include in its application, filed in accordance with subparagraph (2) of this paragraph, a request for permission to temporarily transfer the control of any of its air carrier aircraft radio stations to another U. S. scheduled air carrier, currently licensed by the FCC with whom it has such an interchange or lease agreement, in order to enable such carrier to operate the station while the interchange or lease agreement is in effect. Such request must specify the names of the scheduled air carriers participating in the interchange or lease agreement who will operate such aircraft, including the radio station aboard.

(b) *Application for renewal of aircraft radio station license.* Application for renewal of aircraft radio station license shall be submitted on FCC Form 405-A, Application for Renewal of Radio Station License (Short Form) Unless otherwise directed by the Commission, each application for renewal of license shall be filed during the last 60 days of the license term. In any case in which the licensee has, in accordance with the Commission's rules made timely and sufficient application for renewal of license, no license with reference to any activity of a continuing nature shall expire until such application shall have been finally determined.

(c) *Temporary station license for private aircraft.* The purchaser of new aircraft with factory-installed radio equipment may operate a private aircraft radio station on the aircraft for a period of 30 days under special temporary authority evidenced by a copy of a certificate (FCC Form No. 453-B) executed by the manufacturer, dealer or distributor of such aircraft, the original of which has been mailed to the Commission with the formal application for station license.

§ 9.106 *Application for aeronautical public service aircraft station.* All applications for Aeronautical Public Service Aircraft Stations, new or modified, shall be submitted on FCC Form 404. Application for renewal of station license shall be submitted on FCC Form 405-A. Unless otherwise directed by the Commission, each application for renewal of license shall be filed during the last 60 days of the license term. In any case in which the licensee has, in accordance with the Commission's rules made timely and sufficient application for renewal of license, no license with reference to any activity of a continuing nature shall expire until such application shall have been finally determined.

§ 9.107 *Transfer and assignment of aircraft.* Upon the sale, assignment or transfer of any aircraft, a new application for license shall be submitted in accordance with § 9.105 (a) (1)

§ 9.108 *Application for ground station authorization.* Ground station authorization may be obtained as follows:

(a) An application for construction permit for each ground station, except applications for Civil Air Patrol Stations, shall be submitted on FCC Form 401. The same form shall be used to obtain authority to modify or replace equipment. All applications for new or modified Civil Air Patrol Stations shall be submitted on FCC Form 480. All applications shall be accompanied by FCC Form 401-A in triplicate, in all cases when:

(1) The antenna structures proposed to be erected will exceed an over-all height of 170 feet above ground level, except that where the antenna is mounted on top of an existing man-made structure and does not increase the over-all height of such man-made structure by more than 20 feet, no Form 401-A need be filed, or

(2) The antenna structures proposed to be erected will exceed an over-all height of 1 foot above the established airport (landing area) elevation for each 200 feet of distance, or fraction thereof, from the nearest boundary of such landing area, except that where the antenna does not exceed 20 feet above the ground or if the antenna is mounted on top of an existing man-made structure or natural formation and does not increase the over-all height of such man-made structure or natural formation by more than 20 feet, no Form 401-A need be filed.

(b) An application on FCC Form 401 may be submitted for construction permit for any number of aeronautical utility mobile stations for the same licensee at the same location.

(c) *Application for station license:* Upon completion of construction or installation of a station in exact accordance with the terms and conditions set forth in the construction permit, an application for license may be filed on FCC Form No. 403.

(d) Upon request of the applicant, and where it appears to the Commission that the circumstances are such that there will be no deviation from the terms of the construction permit, both construction permit and license may be granted simultaneously.

(e) Application for renewal of station license shall be submitted on FCC Form 405-A. Unless otherwise directed by the Commission, each application for renewal of license shall be filed during the last 60 days of the license term. In any case in which the licensee has, in accordance with the Commission's rules made timely and sufficient application for renewal of license, no license with reference to any activity of a continuing nature shall expire until such application shall have been finally determined.

(f) Application for transfer or assignment of a ground-station construction permit or license shall be filed on FCC Form No. 702.

§ 9.109 *Application for special temporary authorization.* (a) Special temporary authority may be granted for the operation of a station for a limited time, or in a manner and to an extent or for service other than or beyond that authorized in an existing license upon proper application therefor. No such request will be considered unless full particulars as to the purposes for which the request is made are stated and unless the request is received by the Commission at least 10 days previous to the date of proposed operation. A request received within less than 10 days may be accepted upon due showing of sufficient reasons for the delay in submitting such request.

(b) In cases of emergency found by the Commission involving danger to life or property or due to damage of equipment, temporary authorization may be granted for the construction and operation of a station for the duration of such emergency. Requests for such temporary authorization may be filed by unverified telegram or letter and shall contain the following information:

(1) Name, address and citizenship status of applicant;

(2) Statement of facts upon which the request for emergency authorization is based, including estimated duration of emergency;

(3) Class of station and nature of service;

(4) Location of station including, when appropriate, geographical coordinates;

(5) Equipment to be used, specifying manufacturer, frequencies desired, plate power input to final radio frequency stage, and type of emission.

If any of the foregoing information is presently on file with the Commission, such information may be included by reference. The applicant may be required, whenever such action may be considered necessary by the Commission,

to supplement the information enumerated above by filing as soon as practicable a formal application on the prescribed form.

§ 9.110 Changes in antenna. (a) Changes may be made in the antenna or antenna supporting structure of any station in the aviation services, except as provided in paragraph (b) of this section, without specific authorization from the Commission, provided that for stations other than mobile or aircraft (1) the Commission at Washington, D. C., and the Commission's engineer-in-charge of the inspection district in which the station is located are notified in advance of these changes; and (2) a description of these changes is incorporated in the next application for renewal or modification of the station license.

(b) No changes in the antenna or antenna structure for ground stations other than mobile may be made without specific authorization from the Commission if (1) such changes will make the antenna or structure higher than 170 feet above the ground level; (2) the antenna structure proposed will exceed an overall height of one foot above ground for each 200 feet of distance, or fraction thereof, from the nearest boundary of any landing area; (3) the antenna or antenna structure is presently required to be painted or lighted in accordance with Part 17 of this chapter. Requests for the changes outlined in this paragraph should be accompanied by FCC Form 401-A.

§ 9.111 Amendments and dismissals. Any application prior to the time it is granted or designated for hearing, may be amended by the applicant or dismissed without prejudice upon request of the applicant.

§ 9.112 Form of amendments. Any amendments to an application shall be subscribed, verified, and submitted in the same manner and with the same number of copies as required for the original application.

§ 9.113 Amendments ordered. The Commission may at any time order the applicant to amend an application so as to make it more definite and complete.

§ 9.114 Defective application. (a) Applications which are defective with respect to completeness of answers to required questions, execution, or other matters of a purely formal character will not be received for filing by the Commission, unless the Commission shall otherwise direct, and will be returned to the applicant with a brief statement as to the omissions.

(b) If the applicant is requested by the Commission to file any documents or information not included in the prescribed application form, a failure to comply with such request will constitute a defect in the application.

(c) Applications which are not in accordance with the Commission's rules, regulations or other requirements will be considered defective unless accompanied either (1) by a petition to amend any rule or regulation with which the application is in conflict, or (2) by a request

of the applicant for waiver of, or an exception to, any rule, regulation or requirement with which the application is in conflict. Such request shall show the nature of the waiver or exception desired and set forth the reasons in support thereof.

§ 9.115 Partial grants. Where any application is granted in part, or with any privileges, terms, or conditions other than those requested, without a hearing thereon, such action of the Commission shall be considered acceptable and final unless the applicant shall, within 20 days from the date on which public announcement of such grant is made, or from its effective date whichever is later, file with the Commission a written request for a hearing with respect to the part, privileges, terms or conditions, not granted. Upon receipt of such request, the Commission may vacate its original action upon the application and designate the application for hearing.

§ 9.116 License period. For all stations in the Aviation Services, the license period shall be as follows:

(a) Each station license will be issued for a term of from one to five years from the effective date of grant, the term varying as may be necessary to permit the orderly scheduling of renewal applications.

(b) Each station license normally will be renewed, upon proper application, for a term of four years from the effective date of renewal.

§ 9.117 Renewal of license. Unless otherwise directed by the Commission, each application for renewal of license shall be filed at least 60 days prior to the expiration date of the license sought to be renewed.

§ 9.118 Posting station licenses and transmitter identification cards. (a) The current authorization for stations at fixed locations in the aviation services shall be conspicuously posted at the place where the transmitter is located. In the event an authorization covers transmitters at several locations, the authorization shall be posted at one transmitter location and a photographic copy thereof shall be posted at all other transmitter locations. The photographic copy shall bear a notation of the location of the original authorization.

(b) The current authorization for aircraft radio stations may be posted or kept at a convenient easily accessible location in the aircraft. Air carriers licensed by means of a single instrument of authorization for the operation of all fleet aircraft may post or keep in a conveniently accessible location in each aircraft a photocopy of the original authorization.

(c) The current authorization for each land mobile station shall be retained as a permanent part of the station record, but need not be posted. An executed Transmitter Identification Card (FCC Form 452-C) shall be affixed to each land mobile transmitter or associated control equipment. When the transmitter is not in view of and readily accessible to the operator, it is preferred that the identification card be affixed to the control

equipment at the transmitter operating position. The following information shall be entered on the card by the permittee or licensee:

- (1) Name of permittee or licensee.
- (2) Station call signal assigned by the Commission.
- (3) Exact location or locations of the transmitter records.
- (4) Frequency or frequencies on which the transmitter to which attached is adjusted to operate; and
- (5) Signature of the permittee or licensee, or a designated official thereof.

§ 9.119 Posting operator licenses. The original license of each station operator shall be conspicuously posted at the place he is on duty, or, in the case of mobile units either the license or verification card must be kept in his personal possession: *Provided, however,* That if the operator on duty holds a restricted radio-telephone operator permit of the card form (as distinguished from the diploma form) he shall not post that permit but shall keep it in his personal possession.

§ 9.120 Discontinuance of operation. The Commission and the Commission's engineer-in-charge of the district in which the station is located shall be notified upon the permanent discontinuance of any station in the aviation services except stations in aircraft licensed for other than aeronautical public service for hire.

§ 9.121 Suspension of operation. If, for any reason, it is necessary to suspend the operation of any airdrome control or ground aeronautical navigational radio station, notification of such suspension shall be made to the nearest communications center of the Civil Aeronautics Administration. If possible, the notice shall forecast the time of resumption of service. In any event, the same Civil Aeronautics Administration center shall be again notified of resumption of service.

SUBPART C—TESTS

§ 9.141 Equipment and service tests. Equipment and service tests may be conducted as prescribed below provided that the necessary precautions are taken to avoid interference.

(a) *Equipment test.* Upon completion of construction of a radio station in exact accordance with the terms of the construction permit, the technical provisions of the application therefor and the rules and regulations governing the class of station concerned and, prior to filing of application for license, the permittee may test the equipment for a period not to exceed 30 days, provided that the Commission's engineer-in-charge of the district in which the station is located is notified 2 days in advance of the beginning of tests. Upon notice from the Commission, the permittee shall cancel, suspend, or change the date of beginning or the period for such tests as directed.

(b) *Service test.* When construction and equipment tests are completed in exact accordance with the terms of the construction permit, the technical provisions of the application therefor, and the rules and regulations governing the class of station concerned, and after an

application for station license has been filed with the Commission showing the transmitter to be in satisfactory operating condition, the permittee may conduct service tests in exact accordance with the terms of the construction permit until final action is taken on the application for license, provided that the Commission's engineer-in-charge of the district in which the station is located is notified 2 days in advance of the beginning of such tests. Upon notice from the Commission, the permittee shall cancel, suspend or change the date of beginning or period of such tests as directed. Service tests must be started before the expiration date of the construction permit.

§ 9.142 *Routine tests.* The licensees of all classes of stations in the aviation services are authorized to make such routine tests as may be required for the proper maintenance of the stations provided that precautions are taken to avoid interference with any station.

SUBPART D—LOGS

§ 9.151 *Information required in station logs.* (a) All stations in the aviation services except aeronautical utility mobile stations and aircraft stations other than those which may be required by law to maintain logs shall keep an adequate log showing:

- (1) Hours of operation.
- (2) Frequencies used.
- (3) Stations with which communication was held.
- (4) Signature of operator(s) on duty.
- (b) The licensee of any radio station which has an antenna structure requiring illumination shall make the following entries in the station record:
 - (1) The time the tower lights are turned on and off each day if manually controlled.
 - (2) The time the daily check of proper operation of the tower lights was made.
 - (3) In the event of any observed or otherwise known failure of a tower light:
 - (i) Nature of such failure.
 - (ii) Date and time the failure was observed, or otherwise noted.
 - (iii) Date, time and nature of the adjustments, repairs or replacements were made.
 - (iv) Identification of Airways Communication Station (Civil Aeronautics Administration) notified of the failure of any code or rotating beacon light not corrected within thirty minutes, and the date and time such notice was given.
 - (v) Date and time notice was given to the Airways Communication Station (Civil Aeronautics Administration) that the required illumination was resumed.
 - (4) Upon completion of the periodic inspection required at least once each three months:
 - (i) The date of the inspection and the condition of all tower lights and associated tower lighting control devices, indicators and alarm systems.
 - (ii) Any adjustments, replacements, or repairs made to insure compliance with the lighting requirements and the date such adjustments, replacements, or repairs were made.

§ 9.152 *Station records in the aeronautical public service.* All stations licensed in the aeronautical public service shall keep a file of all record communications handled and all ground stations so licensed shall keep a record of radiotelephone contacts either in the form of telephone traffic tickets or as a separate list.

§ 9.153 *Required retention period.* The logs in the aviation services may be destroyed after a period of 30 days except:

(a) That logs involving communications incident to a disaster or which include communications incident to, or involved in, an investigation by the Commission and concerning which the licensee has knowledge, shall be retained by the licensee until specifically authorized in writing by the Commission to destroy them.

(b) That logs incident to or involved in any claim or complaint of which the licensee has knowledge shall be retained by the licensee until such claim or complaint has been fully satisfied or until the same has been barred by statute limiting the time for the filing of suits upon such claims.

§ 9.154 *Logs, by whom kept.* An entry or entries in the log of each station shall be signed or initialed by a person having actual knowledge of the facts recorded.

§ 9.155 *Log form.* The logs shall be kept in an orderly manner, and in such detail that the data required are readily available. Key letters or abbreviations may be used if proper meaning or explanation is set forth in the log or in a communication manual available at the station. Recordings may be used in lieu of written logs provided there is associated with each recording a statement indicating the station and period covered over the signature of a person having knowledge of the facts recorded.

§ 9.156 *Correction of log.* No log or portion thereof shall be erased, obliterated, or willfully destroyed within the required retention period. Any necessary correction may be made only by the person originating the entry who shall indicate the erroneous portion, initial the correction made, and indicate the date of correction.

SUBPART E—TECHNICAL SPECIFICATIONS

§ 9.171 *Installation and operation of transmitting equipment.* The transmitter shall be so installed and protected that it is not accessible to other than duly authorized persons. The radiations of the transmitter shall be suspended immediately when there is a deviation from the terms of the station license.

§ 9.172 *Frequency stability.* The carrier frequency of stations in the aeronautical services shall be maintained with the following percentage of the assigned frequency. (These tolerance requirements are obviously not applicable to certain devices such as altimeters and various radar equipments. Tolerance requirements will be specified on the licenses under which such devices operate.)

(a) All aircraft stations on frequencies above 500 kc.....	0.01
(b) All ground stations on frequencies above 29,000 kc.....	0.01
(c) All stations on frequencies of 500 kc or below.....	0.02
(d) Aeronautical fixed stations on frequencies from 1635 to 4000 kc with power of 200 watts and below.....	0.01
and with power above 200 watts.....	0.035
(e) Aeronautical fixed stations on frequencies from 4000 to 29,000 kc with power of 500 watts and below.....	0.01
and with power above 500 watts.....	0.035
(f) All other ground stations on frequencies from 1635 to 4000 kc with power of 200 watts and below.....	0.01
and with power above 200 watts.....	0.035
(g) All other ground stations on frequencies from 4000 to 29,000 kc with power of 500 watts and below.....	0.01
and with power above 500 watts.....	0.035

§ 9.173 *Frequency measurements.* (a) The assigned frequencies of all stations in the aviation services shall be measured (1) when the transmitter is initially installed, (2) at any time the frequency determining elements are changed, and (3) at any time the licensee may have reason to believe the frequency has shifted beyond the tolerance specified by the Commission's rules.

(b) Each frequency measurement shall be recorded in the station's records by a statement signed by the person making the measurement and showing the deviation above or below the assigned frequency in cycles per second or percentage of deviation plus or minus the assigned frequency. A statement showing that an automatic frequency monitor was in service during any period shall be deemed to meet the above requirement for such period.

§ 9.174 *Power.* The power which may be authorized to a station in the aviation services shall be not more than the minimum required for satisfactory technical operation.

§ 9.175 *Types of emission.* Stations in the aviation services may be authorized to use type A1, A2, A3 and special emission as may be appropriate. The authorization to use A3 emission will be construed to include the use of tone signals or signaling devices whose sole function is to establish or maintain voice communications. Special emission includes all types not provided for by existing international regulations, such as all types of FM, pulse transmission, and frequency shift keying.

§ 9.176 *Modulation; bandwidth and channel spacing.*—(a) The carrier shall be modulated to a sufficiently high degree to provide effective communication, but in no case shall modulation result in objectionable emission of energy outside the authorized communication band.

(b) Although present channel spacing in the very high frequency bands is 200 kilocycles, it is expected that this spacing will eventually be reduced to 100 kilocycles. Design of VHF equipment for future use should be made with this in mind.

§ 9.177 *Inspection and maintenance of tower marking and associated control equipment.* The licensee of any radio station which has an antenna structure required to be painted or illuminated pursuant to the provisions of section 303 (q) of the Communications Act of 1934, as amended, and/or Part 17 of this chapter, shall operate and maintain the tower marking and associated control equipment in accordance with the following:

(a) The tower lights shall be observed at least once each 24 hours, either visually or by observing an automatic and properly maintained indicator designed to register any failure of such lights, to insure that all such lights are functioning properly as required; or, alternatively, there shall be provided and properly maintained an automatic alarm system designed to detect any failure of the tower lights and to provide indication of such failure to the licensee.

(b) Any observed or otherwise known failure of a code or rotating beacon light or top light not corrected within thirty minutes, regardless of the cause of such failure, shall be reported immediately by telephone or telegraph to the nearest Airways Communication Station or office of the Civil Aeronautics Administration. Further notification by telephone or telegraph shall be given immediately upon resumption of the required illumination.

(c) All automatic or mechanical control devices, indicators, and alarm systems associated with the tower lights shall be inspected at intervals not to exceed three months, to insure that such apparatus is functioning properly.

(d) All lighting shall be exhibited from sunset to sunrise unless otherwise specified in the instrument of station authorization.

(e) A sufficient supply of spare lamps shall be maintained for immediate replacement purposes at all times.

(f) All towers shall be cleaned or repainted as often as is necessary to maintain good visibility.

SUBPART F—MISCELLANEOUS

§ 9.191 *Station identification—(a) Telephony.* (1) Air carrier aircraft: In lieu of radio station call letters, the official aircraft registration number, or company flight identification may be used, provided, adequate records are maintained by the air carrier, to permit ready identification of individual aircraft.

(2) Private aircraft: In lieu of radio station call letters, only the official aircraft registration number may be used.

(3) When use is made of the aircraft registration number, the full number must be given upon initial call of each continuous series of communications. In other communications in each series, the last three characters may be used, provided, the practice is first inaugurated by the ground station operator.

(4) An aeronautical public service aircraft station may use the identification of the aircraft station with which it is associated or an assigned telephone number, provided that, adequate records are maintained to permit ready identification of the aircraft station.

(5) A ground station in the aviation services may use in lieu of the assigned radio call letters the name of the city, area, or airdrome which it serves, together with such additional identification as may be required.

(b) *Telegraphy.* In radiotelegraphy the complete radio station call letters shall be used at the beginning and termination of each contact. After communication has been established, continuous two-way communication may be conducted without further identification or call-up (if no mistake in identity is liable to occur) until the termination of the contact. Aeronautical enroute stations utilizing automatic keying shall transmit call letters at the end of each sequence of communications and, in any event, at least once each hour during periods of transmission.

§ 9.192 *Availability for inspections.* All classes of stations in the aviation services and the maintenance records of said stations shall be made available for inspection upon request of an authorized representative of the Commission made to the licensee or to his representative.

§ 9.193 *Permissible communications.* All ground stations in the aviation services shall transmit only communications for the safe, expeditious and economical operation of aircraft and the protection of life and property in the air: *Provided, however* That aeronautical public service stations, and Aeronautical Advisory and Civil Air Patrol land and mobile stations may communicate in accordance with the particular section of these regulations which govern the operation of these classes of stations, and any station in the aviation services in Alaska, regardless of class in which licensed, may transmit messages concerning sickness, death, weather, ice conditions or other matters relating to safety of life and property if:

(a) There is no established means of communication between the points in question;

(b) No charge is made for the communication service; and

(c) A copy of each message so transmitted is kept on file at the transmitting station in accordance with § 9.153.

§ 9.194 *Answers to notices of violations.* (a) Any licensee receiving official notice of a violation of the terms of the Communications Act of 1934, as amended, any legislative act, Executive order, treaty to which the United States is a party, or the rules and regulations of the Federal Communications Commission, shall, within 3 days from such receipt, send a written answer to the office of the Commission originating the official notice. If an answer cannot be sent, or an acknowledgement made within such 3-day period, by reason of illness or other unavoidable circumstances, acknowledgement and answer shall be made at the earliest practicable date with a satisfactory explanation of the delay. The answer to each notice shall be complete in itself and shall not be abbreviated by reference to other communications or answers to other notices.

(b) If the notice relates to some violation that may be due to the physical or electrical characteristics of transmitting apparatus, the answer shall state fully what steps, if any, are taken to prevent future violations, and if any new apparatus is to be installed, the date such apparatus was ordered, the name of the manufacturer, and promised date of delivery. If the installation of such apparatus requires a construction permit, the file number of the application shall be given, or if a file number has not been assigned by the Commission, such identification as will permit ready reference.

(c) If the notice of violation relates to incompetent maintenance resulting in improper operation of the transmitter, the name and license number of the operator performing the maintenance shall be given.

(d) If the notice of violation relates to some lack of attention to or improper operation of the transmitter by other employees, the reply shall set forth the steps taken to prevent a recurrence of such lack of attention or improper operation.

§ 9.195 *Movement of portable or mobile stations from one inspection district to another.* When portable or mobile ground stations in the aviation services are moved from one radio inspection district to another, for regular operation therein, the licensee shall notify the Commission's engineers-in-charge of the respective districts. These engineers-in-charge shall be notified prior to the move, if practicable, but, in any event, not later than 48 hours thereafter.

SUBPART G—AIRCRAFT RADIO STATIONS

§ 9.311 *Scope of service.* Communications by an aircraft station in the aeronautical mobile service shall be limited to the necessities of safe aircraft operation. Normally contacts with an airdrome control station shall not be attempted unless the aircraft is within the area served by the station.

§ 9.312 *Frequencies available.* The following frequencies are available to aircraft stations in the aeronautical mobile service:

(a) 375 kilocycles: International direction-finding frequency for use outside the continental United States.

(b) 457 kilocycles: Working frequency exclusively for aircraft on sea flights desiring an intermediate frequency.

(c) 500 kilocycles: International calling and distress frequency for ships and aircraft over the seas. Transmission on this frequency with the exception of urgent and safety messages and signals must cease twice each hour, for 3 minutes beginning at x:15 and x:45 o'clock GCT.

(d) [Reserved.]

(e) 8364 kilocycles: Frequency for use by lifeboats, liferafts and other survival craft for search and rescue communications with stations of the maritime mobile service.

(f) 121.7 and 121.9 megacycles: Airport utility frequencies.

(g) 121.5 megacycles: This frequency is a universal simplex channel for emer-

agency and distress communications. It will provide a means of calling and working between the various services in connection with search and rescue operations, an emergency means for direction-finding purposes and a means for establishing air to ground contact with lost aircraft. This frequency will not be assigned to aircraft unless there are also assigned and available for use other frequencies to accommodate the normal communication needs of the aircraft.

(h) These frequencies are available for air traffic control operations:

118.1 A	119.9	123.7	125.5
118.3	120.1	123.9	125.7
118.5	120.3 B	124.1	125.9
118.7	120.5	124.3	126.1 E
118.9	120.7	124.5	126.3 E
119.1	120.9	124.7	126.5
119.3	121.1	124.9	126.7 F
119.5	121.3 C	125.1	
119.7	121.7 D	125.3	

A—Primarily for international operations.

B—Primarily for communications with Air Route Traffic Control Centers.

C—For communication with low activity airdrome control stations.

D—Available on a secondary basis to its primary use as an airport utility frequency.

E—Available on a non-interference basis to government use of 126.18 Mc.

F—For communication with Interstate Airway Communication Stations.

(i) Miscellaneous maritime frequencies: Calling and working frequencies of ship stations may also be assigned to aircraft stations for the purpose of communicating with coastal stations, or ship stations, available for A1, A2, and A3 emission in conformity with Part 8 of this chapter, Stations on Shipboard in the Maritime Services, provided the Commission is satisfied in each case that undue interference will not be caused to the service of ship or coastal stations.

(j) Other frequencies which may be required for overseas and foreign operation may also be made available upon the showing that a need exists therefor.

(k) In addition to the frequencies specifically designated in this part, a licensee, when operating an aircraft station outside the United States as defined in the Communications Act of 1934, as amended, may use such frequencies as may be required to maintain communications by the authority having jurisdiction over the ground stations with which it is desired to maintain communication.

§ 9.313 *Foreign aircraft stations operating within the U. S.* (a) Aircraft of member States of the ICAO may, in or over the United States, carry radio transmitting apparatus only if a license to install and operate such apparatus has been issued by the appropriate authorities of the State in which the aircraft is registered. The use of radio transmitting apparatus in or over the United States shall be in accordance with the rules and regulations of this part.

(b) Radio transmitting apparatus on aircraft of member States of the ICAO referred to in paragraph (a) of this section may be operated only by members of the flight crew who are provided with a radio operator license of the proper class, issued or recognized by the appropriate

authorities of the State in which the aircraft is registered.

§ 9.315 *Lighter-than-air craft frequencies.* The following additional frequency may be assigned to lighter-than-air craft and to aeronautical stations serving lighter-than-air craft:

3281 kc.

SUBPART H—AIR CARRIER AIRCRAFT STATIONS

§ 9.321 *Frequencies available.* The following frequencies, in addition to those listed in § 9.312 are available to air carrier aircraft stations:

(a) [Reserved.]

(b) These frequencies are available for communication to airdrome control stations:

Mc.	Mc.	Mc.
125.7	126.1	126.5
125.9	126.3	

(c) 126.7 megacycles: Air carrier aircraft to airway communication stations.

(d) The aeronautical frequencies listed under §§ 9.432 through 9.440 are also available to air carrier aircraft upon showing that agreements have been made with the licensee of appropriate ground stations.

(e) 3023.5 kilocycles is available to air carrier aircraft only where service on the appropriate very high frequency is not available or where service is suspended due to equipment failure.

SUBPART I—PRIVATE AIRCRAFT STATIONS

§ 9.331 *Frequencies available.* The following frequencies, in addition to those listed in § 9.312 are available to private aircraft stations:

(a) 3023.5 kilocycles: Aircraft calling and working frequency for use by private aircraft.

(b) 122.1 and 122.3 megacycles: Private aircraft to airway communication stations.

(c) 122.5, 122.7, and 122.9 megacycles: Private aircraft to airdrome control stations.

(d) The aeronautical frequencies listed under §§ 9.432 through 9.440 are also available to private aircraft upon showing that a need exists and that agreements have been made with the licensee of appropriate ground stations.

(e) 122.8 megacycles: Private aircraft stations to Aeronautical Advisory stations and between private aircraft stations themselves while in flight, using 6A3 emission only and a power output not to exceed 10 watts. In so far as the availability of this frequency is concerned, an air carrier aircraft weighing less than 10,000 pounds shall not be considered a private aircraft.

SUBPART J—AIRDROME CONTROL STATIONS

§ 9.411 *Frequencies available.* The following frequencies are available to airdrome control stations (In filing an application for airdrome control radio station, the applicant may leave blank section 16 (1) of FCC Form No. 401, since it will be necessary for the Commission to determine the specific frequency after coordination with the other Government agencies concerned).

(a)

118.1 A	119.7	121.3 C	124.9
118.3	119.9	121.7 D	125.1
118.5	120.1	123.7	125.3
118.7	120.3 B	123.9	125.5
118.9	120.5	124.1	125.7
119.1	120.7	124.3	125.9
119.3	120.9	124.5	126.1 E
119.5	121.1	124.7	126.3 E

A—Primarily for international operations.
B—Primarily for assignment to Air Route Traffic Control Centers.

C—For assignment to low activity airdrome control stations only.

D—Available on a secondary basis to its primary use as an airport utility frequency.

E—Available on a non-interference basis to government use of 126.18 Mc.

(b) 278 kilocycles: This frequency is available for assignment in addition to a very high frequency. Its use must be supplemented by a service on one of the very high frequencies: *Provided, however* That until further notice of the Commission, upon application therefor, the Commission may exempt any station from the very high frequency service requirement when it appears that in the preservation of life and property in the air such service is not required at that station.

(c) 121.7 and 121.9 megacycles: These utility frequencies are available to airdrome control stations for communications with ground vehicles and aircraft on the ground at airdromes. The antenna height shall be restricted to the minimum to achieve the required service.

(d) 121.5 Mc.. This frequency is a universal simplex channel for emergency and distress communications and service on this frequency shall be provided by all airdrome control stations, on or before October 1, 1950: *Provided, however*, That upon application therefor the Commission may exempt any station from this requirement when a showing is made that such service is not required in the preservation of life and property in the air.

§ 9.412 *Scope of service.* (a) Communications of an airdrome control station shall be limited to the necessities of safe and expeditious operation of aircraft using the airdrome facilities or operating within the airdrome control area and in all cases such stations shall be in a position to render, and shall render, all necessary airdrome control service.

(b) The licensee of an airdrome control station shall without discrimination provide service for any and all aircraft. Such licensee shall maintain a continuous listening watch during its hours of operations on the following aircraft calling and working frequencies:

(1) *Very high frequencies.* (i) 122.5 Mc.,

(ii) 121.5 Mc. emergency frequency—upon application therefor the Commission may exempt any station from the emergency frequency watch requirement, when a showing is made that such service is not required in the preservation of life and property in the air;

(iii) Upon further notice a listening watch may be required on the frequencies 122.7 or 122.9 Mc.

(2) *High frequency.* (i) 3023.5 kc.

§ 9.413 *Hours of operation.* The licensee shall render a communication service 24 hours a day. *Provided, however* That upon application therefor the Commission may exempt any station from the requirements of this provision when it appears that, in the preservation of life and property in the air, the maintenance of a continuous watch by such station is not required.

§ 9.414 *Airdrome facilities.* Only one airdrome control station will be licensed to operate at an airdrome.

§ 9.415 *Interference.* The operation of airdrome control stations in adjacent airdrome areas shall be on a non-interference basis only. In case of radio interference between adjacent airdrome control stations, the Commission will specify for its licensees, the arrangements necessary to eliminate interference.

§ 9.416 *Power.* (a) Airdrome control stations using frequencies below 400 kilocycles will not be licensed to use more than 15 watts power for type-A3 emission.

(b) The power of airdrome control stations operating on the frequencies specified in § 9.411 (a) shall be 50 watts.

SUBPART K—AERONAUTICAL ENROUTE STATIONS

§ 9.431 *Scope of service.* (a) Aeronautical enroute stations shall provide all necessary non-public service, HF and VHF of the particular class authorized without discrimination to any aircraft station licensee who makes cooperative arrangements for the operation and maintenance of the aeronautical enroute stations which are to furnish such service and for shared liability in the operation of such stations. In case of distress, aeronautical enroute stations shall provide the above service without prior arrangements.

(b) Only one aeronautical enroute station in the Domestic Service will be authorized at any one location and only one aeronautical enroute station in the International Service will be authorized at any one location. For this purpose a "location" means an area which can be adequately served by the particular station.

§ 9.432 *Frequencies available.* (a) 121.5 megacycles. This frequency is a universal simplex channel for emergency and distress communications to provide a means of calling and working between the various services in connection with search and rescue operations, an emergency means for direction finding purposes and establishing air-ground contact.

(b) Frequencies in the bands allocated to the aeronautical mobile (R) service in accordance with the provisions of the Extraordinary Administrative Radio Conference (Geneva 1951)

(c) Frequencies allocated to the aeronautical mobile (R) service in addition to those listed in § 9.433 through 9.439 may be assigned upon the showing that a need exists, and that such use would not result in harmful interference to other stations operating in accordance with the provisions of the EARC Agreement (Geneva, 1951)

(d) Applications for the use of frequencies allocated to the aeronautical mobile (R) service, not in accordance with §§ 9.433 through 9.439, shall be accompanied by a showing that a need exists and that such use would not result in harmful interference to other stations operating in accordance with the EARC Agreement (Geneva 1951)

(e) Frequencies in the band 126.8–132.0 Mc. Although present channel spacing is 200 kc, additional intermediate frequencies at 100 or 50 kc spacing may be authorized upon a showing that harmful interference will not be caused to aeronautical enroute stations operating on VHF frequencies listed in §§ 9.433 through 9.436 and § 9.440.

§ 9.433 *Continental U. S.* Frequencies available for assignment to serve domestic routes in the continental U. S. are as follows:

(a)

Kc	Kc	Kc	Kc
2854	3453.5	5634	6657
2896	3495.5	5656.5	6672
2903	4654.5	6529.5	8854
2910	4668.5	6537	8956
2924	4682.5	6544.5	10012
2938	5469	6559.5	10030
2945	5476.5	6574.5	10066
2959	5484	6589.5	10075
2966	5491.5	6604.5	10093
2994	5506.5	6619.5	11280.5
3001	5529	6627	11347
3015	5544	6634.5	11394.5
3418.5	5589	6642	
3432.5	5598.5	6649.5	

(b) *VHF Chains—(1) Transcontinental VHF chain and feeders.*

Mc.	Mc.	Mc.	Mc.
127.5	128.1	131.3	131.9
127.7	128.9	131.5	
127.9	129.3	131.7	

(2) *Northeast VHF chain and feeders.*

Mc.	Mc.	Mc.
128.3	129.9	130.5
128.7	130.3	130.9

(3) *Eastern VHF chain and feeders.*

Mc.	Mc.	Mc.	Mc.
127.1	128.5	129.7	130.7
127.3	129.1	130.1	131.1

(4) *Midcontinent VHF chain and feeders.*

Mc.	Mc.	Mc.
128.3	129.9	130.5
128.7	130.3	130.9

(5) *Pacific VHF chain and feeders.*

Mc.	Mc.	Mc.	Mc.
127.1	128.5	129.7	130.7
127.3	129.1	130.1	131.1

(6) *Common frequencies.*

126.9 Mc. (for use by aeronautical enroute stations serving international operations).

129.5 Mc. (for use on all chains).

§ 9.434 *Territory of Alaska.* (a) The following frequencies are available for assignment to aeronautical enroute stations in the Territory of Alaska. The provisions of § 9.431 (b) do not apply to stations operating on frequencies in accordance with this paragraph.

3411.5 kc	4668.5 kc
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(b) The following frequencies are available for assignment to aeronautical enroute stations in Alaska only when

serving scheduled certificated air carriers as defined by the Civil Aeronautics Board. In filing an application for the use of these frequencies, the applicant must show that in addition to complying with the provisions of § 9.431 the station will service such scheduled certificated air carriers. A copy of the contractual arrangements made with each of the air carriers to be served must be submitted with the application.

(1) *Alaska Aleutian chain and feeders.* The following frequencies are available for assignment:

2945 kc	6567 kc	11328 kc
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(2) *Central Alaska chain and feeders (west of 141° west longitude)* The following frequencies are available for assignment:

2945 kc	5611.5 kc
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(3) *Southeastern Alaska chain and feeders (east of 141° west longitude)* The following frequencies are available for assignment (power on the frequency 2910 kc in Alaska is limited to 325 watts; however, powers in excess of 325 watts may be authorized provided that an adequate showing is made that such additional power is required and that harmful interference will not be caused to any service or any station which in the discretion of the Commission may be entitled to protection)

2910 kc	6567 kc
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(c) The following frequencies are shared with the Civil Aeronautics Administration and are available for licensing by the Commission subject to the provisions of paragraph (b) of this section at those locations where an applicant justifies the need for service and the Government is not prepared to render this service (the frequencies 1674, 2912, 2946, 3082.5, 5037.5 and 5672.5 kc are available for assignment on an interim basis only until the frequencies listed in this paragraph are activated for Alaskan chain and feeder operations)

2931 kc	5544 kc
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(d) The following frequencies are available for assignment to aeronautical enroute stations in Alaska:

Mc.	Mc.	Mc.
127.1	127.5	129.3
127.3	127.9	129.9

§ 9.435 *Territory of Hawaii.* Frequencies available for assignment to serve domestic routes in the Territory of Hawaii are as follows:

(a)

3453.5 kc	5559 kc	6640.5 kc
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(b)

Mc	Mc	Mc	Mc	Mc
127.1	128.3	128.5	128.9	131.9

§ 9.436 *West Indies.* Frequencies available for assignment to serve domestic routes in U. S. possessions in the West Indies are as follows:

(a)

2861 kc	4689.5 kc
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(b)

127.3 Mc	128.3 Mc
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§ 9.437 *International high frequency service.* Frequencies available for assignment by the authority having juris-

diction over the respective aeronautical stations on the several Major World Air Route Areas (MWARAs) as defined in the EARC Agreement (Geneva 1951) are as follows:

(a) *Central East Pacific (CEP)*

kc	kc	kc	kc
3432.5	5604	8930.5	11318.5
3446.5	6612	10048	13304.5
3467.5	6679.5	10034	13334.5
3481.5	8879.5	11299.5	17926.5
5551.5			

(b) *Central West Pacific (CWP)*

kc	kc	kc	kc	kc
2966	5506.5	8862.5	13354.5	17906.5

(c) *North Pacific (NP)*

kc	kc	kc	kc	kc
2987	5521.5	8939	13274.5	17906.5

(d) *South Pacific (SP)*

kc	kc	kc	kc	kc
2945	5641.5	8845.5	13344.5	17940.5

(e) *North Atlantic (NA)*

kc	kc	kc	kc
2868	5626.5	8888	13284.5
2931	5641.5	8913.5	13324.5
2945	5671.5	8947.5	13354.5
2987	8862.5	13264.5	17966.5
5611.5			

(f) *Europe (EU)*

kc	kc	kc	kc
2889	4654.5	6552	8930.5
2910	4689.5	6582	11299.5
3467.5	5551.5	8871	17906.5
3481.5			

(g) *North-South America—1 (NSAM—1)*

kc	kc	kc	kc
2889	6664.5	13314.5	17916.5
4696.5	8820		

(h) *North-South America—2 (NSAM—2)*

kc	kc	kc	kc
2910	5566.5	8845.5	11337.5
2966	5581.5	8871	13344.5
3404.5	6567	11290	17916.5

(i) *Far East—1 (FE-1)*

kc	kc	kc	kc
2987	8879.5	13324.5	17966.5
5671.5	8930.5		

(j) *Far East—2 (FE-2)*

kc	kc	kc	kc	kc
2868	5611.5	8871	13284.5	17966.5

(k) *South Atlantic (SA)*

kc	kc	kc	kc
2875	6612	8939	13274.5
3432.5	6679.5	10048	17946.5
6597	8879.5		

(l) *Middle East (ME).*

kc	kc	kc	kc
3404.5	5604	8845.5	13334.5
3446.5	6627	10021	17926.5

(m) *North-South Africa—1 (NSA-1).*

kc	kc	kc	kc	kc
3411.5	5521.5	8820	13304.5	17946.5

(n) *North-South Africa—2 (NSA-2).*

kc	kc	kc	kc	kc
2966	5506.5	8956	13334.5	17926.5

§ 9.438 *Caribbean Area.* Frequencies available for assignment to serve international air routes in the Caribbean area.

kc	kc	kc	kc
2875	5506.5	8937	13234.5
2952	5619	8371	13344.5
2966	6537	10021	17336.5
5499			

§ 9.439 *U. S.-Alaska, via Canada.* Frequencies available for assignment to serve the U. S.-Alaska, via Canada, air routes.

kc	kc	kc	kc
2973	5499	8871	11356.5

§ 9.440 *International very high frequency service.* The frequency 126.9 Mc is available for use by aeronautical en-route stations serving international operations.

SUBPART I—AERONAUTICAL FIXED STATIONS

§ 9.441 *Scope of service.* Aeronautical fixed stations are authorized primarily for the handling of communications in connection with and relating solely to the actual aviation needs of the licensees. Aeronautical fixed stations will not be authorized where land line facilities adequate for the service required are available.

§ 9.442 *Emergency service.* The licensee of an aeronautical fixed station shall be required to transmit, without charge or discrimination, all necessary messages in times of public emergency which involve the safety of life or property.

§ 9.443 *Assignment of frequencies.* Effective December 1, 1954, except for aeronautical fixed stations in the Territory of Alaska, only those frequencies which are in accordance with § 2.104 (a) of this chapter may be authorized for use by aeronautical fixed stations. The applicant shall request specific frequencies within such bands when making an application for an aeronautical fixed station. The availability for assignment of such frequencies will be determined in the Commission by study of the probabilities of interference to and from existing services assigned on the same or adjacent frequencies and, if necessary, by appropriate coordination with other agencies. All new assignments of frequencies will be subject to such conditions as may be required to minimize the possibility of harmful interference to existing services.

SUBPART II—OPERATIONAL FIXED STATIONS

§ 9.446 *Service authorized.* Operational fixed stations in the aeronautical fixed service are authorized for link or control circuits or other aeronautical fixed operations.

§ 9.447 *Frequencies available.* Operational fixed stations in the aeronautical fixed service will share the frequency bands allocated to operational fixed stations with other services as follows:

(a) The frequencies listed in this paragraph may be assigned under the conditions set forth in subparagraphs (1) through (6) of this paragraph. (The frequency 75 Mc is designated for aeronautical marker beacons. In Region 2 the guard band is ± 0.4 Mc.)

72.02	72.62	73.62	74.62
72.03	72.63	73.63	74.63
72.10	72.90	73.70	74.50
72.14	72.94	73.74	74.54
72.18	72.98	73.78	74.58
72.22	73.02	73.82	74.62
72.25	73.05	73.85	74.65
72.29	73.10	73.90	74.69
72.34	73.14	73.94	74.74
72.38	73.18	73.98	74.78
72.42	73.22	74.02	74.82
72.46	73.26	74.06	74.86
72.50	73.30	74.10	74.90
72.54	73.34	74.14	74.94
72.58	73.38	74.18	74.98
72.62	73.42	74.22	75.02
72.66	73.46	74.26	75.06
72.70	73.50	74.30	75.10
72.74	73.54	74.34	75.14
72.78	73.58	74.38	75.18

(1) In any area in the continental United States, a maximum of four of the frequencies listed in this paragraph may be assigned to aeronautical operational fixed stations.

(2) All authorizations are subject to the condition that no harmful interference will be caused to television reception on Channels 4 and 5.

(3) The applicant agrees to eliminate any harmful interference caused by his operation to TV reception on either Channel 4 or 5 that might develop by whatever means are found necessary within 90 days of the time knowledge of said interference is first brought to his attention by the Commission. If said interference is not cleared up within the 90-day period, operation of the fixed station will be discontinued.

(4) Vertical polarization is used.

(5) Whenever it is proposed to locate a 72-76 Mc fixed station less than 80, but more than 10 miles from the site of a TV transmitter operating on either Channel 4 or 5, or from the post office of a community in which such channels are assigned but are not in operation, the fixed station shall be authorized only if there are fewer than 100 family dwelling units, as defined by the U. S. Bureau of Census, located within a circle centered at the location of the proposed fixed station (family dwelling units 70 or more miles distant from the TV antenna site are not to be counted), the radius of which shall be determined by use of the appropriate chart entitled, "Chart for Determining Radius From Fixed Station in 72-76 Mc Band to Interference Contour Along Which 10 Percent of Service From Adjacent Channel Television Station Would Be Destroyed." Two charts are provided, one for Channel 4 and one for Channel 5. The Commission may, however, in a particular case, authorize the location of a fixed station within a circle as determined above containing 100 or more family dwelling units upon a showing that:

(i) The proposed site is the only suitable location.

(ii) It is not feasible, technically or otherwise, to use other available frequencies.

(iii) The applicant has a plan to control any interference that might develop to TV reception from his operations.

(iv) The applicant is financially able and agrees to make such adjustments in

the TV receivers affected as may be necessary to eliminate interference caused by his operations.

(6) All applications seeking authority to operate with a separation of less than 10 miles will be returned without action.

(b) Band 952-960 Mc.

(c) Band 1850-1990 Mc.

(d) Band 2110-2200 Mc.

(e) Band 2500-2700 Mc.

(f) Band 6575-6875 Mc.

(g) Band 12,200-12,700 Mc.

(h) In filing an application for an operational fixed station in the aeronautical fixed service, the applicant may leave blank section 16 (1) of FCC Form 401, since it will be necessary for the Commission to determine the specific frequency being assigned.

SUBPART N—AERONAUTICAL UTILITY MOBILE STATIONS

§ 9.451 *Frequencies available.* The frequencies 121.7 and 121.9 megacycles are available for aeronautical utility mobile stations.

§ 9.452 *Scope of service.* Communications by a utility station shall be limited to the necessities of ground traffic control at an airdrome and may be used for essential communications with the control towers, ground vehicles and aircraft on the ground.

§ 9.453 *Power.* Power and antenna height shall be restricted to the minimum to achieve the required service.

§ 9.454 *Supervision by airdrome control operator.* At any airdrome at which an airdrome control tower is in operation, transmission by the utility station shall be subject to the control of the airdrome control station and shall be discontinued immediately when so requested by the control station. The utility station shall guard the utility frequency during periods of operation.

SUBPART O—RADIONAVIGATION STATIONS

§ 9.511 *Frequencies available.* In filing an application for a radio navigation station, the applicant may leave blank sec. 16 (1) of FCC Form 401, since it will be necessary for the Commission to determine the specific frequency after coordination with the other Government agencies concerned.

(a) Localizer station with simultaneous radiotelephone channel. The frequencies:

108.1	109.1	110.1	111.1
108.3	109.3	110.3	111.3
108.5	109.5	110.5	111.5
108.7	109.7	110.7	111.7
108.9	109.9	110.9	111.9

(b) Glide path station: The band 328.6 to 335.4 megacycles.

(c) Aeronautical marker beacon station: 75 megacycles.

(d) Radio Range stations: 112.1 megacycles through 117.9 megacycles and the following frequencies in the 108-112 megacycles band:

108.2	109.2	110.2	111.2
108.4	109.4	110.4	111.4
108.6	109.6	110.6	111.6
108.8	109.8	110.8	111.8
109.0	110.0	111.0	112.0

(e) Radiobeacon stations: 200-400 kilocycles.

§ 9.512 *Scope of service.* Air navigation aid facilities are usually operated by the Civil Aeronautics Administration. However, the frequencies which these facilities employ are available for licensing by the Commission at those locations where an applicant justifies the need for such service and the Government is not prepared to render this service. Air navigation service will be authorized only where the applicant meets all requirements specified by the Federal Communications Commission after consultation with the Civil Aeronautics Administration.

§ 9.513 *Unattended operation of domestic radiobeacon stations.* (a) Authority may be granted to operate, during the course of normal rendition of service, radiobeacon stations which are located within the United States, its territories or possessions without attendance of any person, in those cases where an adequate showing has been made to the Commission with respect to all of the following seven conditions:

(1) The transmitter is crystal controlled and specifically designed for radiobeacon service and capable of transmitting by self-actuating means;

(2) The emissions of the transmitter shall be continuously monitored by a licensed operator or by means of a direct positive automatic monitor, supplemented by aural monitoring at suitable intervals;

(3) If as a result of aural monitoring, it is determined that a deviation from the terms of the station license has occurred, a properly authorized person will be dispatched immediately to the transmitter site and place the transmitter in an inoperative condition. If automatic monitoring is used, the monitor shall insure that the operation of the station is in accordance with the terms of the station license, or shall place the transmitter in an inoperative condition;

(4) The time, carefully estimated, required to dispatch a properly authorized person to the transmitter site and to place the transmitter in an inoperative condition;

(5) Inspection of the equipment shall be conducted at suitable intervals determined by the performance record of the equipment and maintenance experience, but in any event, an inspection shall be conducted at least every 60 days. A record of the results of an inspection shall be kept in the maintenance records of the station;

(6) The transmitter is so installed and protected that it is not accessible to, and may not be placed in operation by, other than duly authorized persons;

(7) The location of the transmitter is such that it is impracticable to require an operator to be on duty at the transmitter or other point at which the operation of the transmitter could be directly controlled.

(b) Authority for unattended operation shall be expressly stated in the station authorization before such operation may be commenced.

(c) In any case in which authority for unattended operation has been granted the Commission may at any time, for purposes of national defense, without the

necessity of any hearing, cancel the authority or modify it in such a manner as to require the provision of adequate means to permit the station to be placed in an inoperative condition promptly whenever notice to that effect is given.

SUBPART P—FLIGHT TEST STATIONS

§ 9.611 *Frequencies available.* (a) The frequencies 3281 kilocycles, 123.1, 123.3 and 123.5 megacycles are available for flight test stations (the very high frequencies are shared with flying school stations on a noninterference basis)

(b) The following frequencies are available to flight test stations for telemetering activities.

Mc.	Mo.	Mo.	Mo.
217.425	217.575	219.375	219.525
217.475	217.625	219.425	219.575
217.525	217.675	219.450	
217.550	219.325	219.475	

§ 9.612 *Eligibility of licensee.* A flight test station license may be granted only for use by either:

(a) Manufacturers of aircraft or major aircraft components, or

(b) A parent corporation or its subsidiary if either corporation is a manufacturer of aircraft or major aircraft components.

§ 9.613 *Cooperative use of facilities.* (a) Only one flight test station for operation on the ground will be licensed to serve an airdrome and such station will be required to provide service without discrimination, but on a cooperative maintenance basis, to all manufacturers eligible for a license for flight test station.

(b) Where licensees desire to conduct flight tests in adjacent airdrome control areas, or where radio interference may result from simultaneous operation of stations at nearby airdromes, they shall arrange for a satisfactory time division by mutual agreement. If such an agreement cannot be reached the Commission will determine and specify the time division upon request of either licensee.

§ 9.614 *Scope of service.* The use of these stations will be restricted to the transmission of necessary information or instructions relating directly to tests of aircraft or components thereof.

§ 9.615 *Power.* The power output of flight test stations designated for operation on board aircraft shall be limited to 10 watts and ground stations shall be limited to 50 watts.

SUBPART Q—FLYING SCHOOL STATIONS

§ 9.711 *Frequencies available.* The frequencies 123.1, 123.3 and 123.5 megacycles are available for ground and aircraft flying school stations (shared with flight test stations on a noninterference basis)

§ 9.712 *Eligibility of licensee.* A flying school station license will be granted only to flying schools and soaring societies.

§ 9.713 *Limitations of instructional facilities.* Assignments will be limited to one station to an airdrome location for one or more flying schools.

§ 9.714 *Coordinated use of instructional facilities.* Where more than one

flying school operates from an airdrome location, coordinated use of a single instructional frequency shall be arranged, placed in the form of a signed agreement and filed with the Commission. In case of disagreement, the Commission will specify the arrangement to be followed.

§ 9.715 *Scope of service.* Communications for instructional flying under the direction of a flying school station in the vicinity of an airdrome shall be transmitted only on the flying school frequency assigned to that station.

§ 9.716 *Supervision by airdrome control operator.* At any airdrome at which an airdrome control station or control tower is in operation, the airdrome control operator must be given a remote microphone connection to the transmitter operating on the flying school frequency for the transmission of orders or instruction to students in flight.

§ 9.717 *Power.* The power output of flying school stations shall not be more than 50 watts for land stations and not more than 10 watts for aircraft stations.

§ 9.718 *Frequency assignments non-exclusive.* No frequency available to a station engaged in instructional flying will be assigned exclusively to any applicant. All stations in this service are required to coordinate operation so as to avoid interference and make the most effective use of assignments.

§ 9.719 *Private service prohibited.* The use of flying school frequencies for other than instruction purposes and promotion of safety of life and property is prohibited.

SUBPART R—AERONAUTICAL PUBLIC SERVICE STATIONS

§ 9.811 *Frequencies available.* The frequencies available to ship telegraph and ship telephone stations are available to aeronautical public service aircraft stations for the handling of public correspondence in the same manner and to the same extent that they are available to ships of the United States and under restrictions hereinafter provided. These frequencies are assigned on the express condition that no interference is caused to marine operations. The general mobile service, as proposed, may also be available for use aboard aircraft.

§ 9.812 *Stations licensed for aeronautical public service.* Only those stations in the aviation services licensed for aeronautical public service may carry on public communication service. Coastal or ship stations licensed to carry on public communication service may provide such service to or from aeronautical public service aircraft stations. No aeronautical public service station shall carry on interstate or foreign public communication service for hire unless appropriate effective tariffs covering such service are on file with the Commission.

§ 9.813 *Scope of service.* (a) All stations licensed in the aeronautical public service shall intercommunicate without discrimination with any other station similarly licensed, whenever necessary for the handling of traffic.

(b) Aeronautical public service stations shall, without discrimination and on reasonable demand, be made available for the use of all persons.

§ 9.814 *Requirement for aeronautical public service station.* A license or other instrument of authorization may be issued for a station for public correspondence provided that a continuous effective listening watch is maintained on the frequency or frequencies used for the aviation safety service messages while public service messages are being handled; and that the installation and system of operation will permit instantaneous interruption of aeronautical public service communications to transmit or receive safety service messages.

§ 9.815 *Priority of communications.* (a) All communications of stations in the aeronautical mobile service are essential to the safe operation of aircraft and shall have priority over public correspondence.

(b) The radio operator in charge of the aircraft station shall suspend operation of an aeronautical public service aircraft station when such operation will delay or interfere with messages pertaining to safety of life and property or when ordered to do so by the captain of the aircraft.

(c) The operation of an aeronautical public service station shall be suspended when it interferes with the radio communications of the safety service.

SUBPART S—CIVIL AIR PATROL STATIONS

§ 9.911 *Eligibility for station license.* Authorizations for land and mobile stations of the Civil Air Patrol will be issued only to units or headquarters of the Civil Air Patrol. All applications will be supported by a confirming statement from the proper military authority.

§ 9.912 *Frequencies available.* The following frequencies have been made available by the Commission for assignment to land and mobile stations of the Civil Air Patrol.

(a) 2374 kc., A-1, A-2, A-3 emission, 400 watts maximum power.

(b) 4535 kc., A-1, A-2, A-3 emission, 400 watts maximum power.

(c) 4467.5 kc., A-1, A-2, A-3 emission, 400 watts maximum power, limited to stations in the southeast area of the United States, comprised of the District of Columbia and the following States:

Florida, Alabama, Georgia, South Carolina, North Carolina, Tennessee, Virginia, West Virginia, Maryland, Delaware.

(d) 4507.5 kc., A-1, A-2, A-3 emission, 400 watts maximum power available to all areas of the United States except those listed in paragraph (c) of this section.

(e) 148.14 Mc., A-2, A-3 emission, 50 watts maximum power.

§ 9.913 *Scope of service.* Land and mobile stations of the Civil Air Patrol may be used only for training operational and emergency activities of the Civil Air Patrol.

(a) Civil Air Patrol Land Stations may communicate with other land stations and mobile stations of the Civil Air Patrol.

(b) Civil Air Patrol Mobile Stations may communicate with other mobile stations and land stations of the Civil Air Patrol.

§ 9.914 *Operator requirements.* (a) All transmitter adjustments or tests during or coincident with the installation, servicing, or maintenance of a radio station, which may affect the proper operation of such station, shall be made by or under the immediate supervision and responsibility of a person holding a first or second class commercial radio operator license, either radiotelephone or radiotelegraph, who shall be responsible for the proper functioning of the station equipment: *Provided, however* That only persons holding a first or second class commercial radiotelegraph operator license shall perform such functions at radiotelegraph stations transmitting by any type of the Morse Code.

(b) A station during the course of normal rendition of service when transmitting radiotelegraphy by any type of the Morse Code shall be operated by a person holding a commercial radiotelegraph operator license or permit of any class issued by the Commission, except that aircraft radio stations while employing radiotelegraphy may not be operated by holders of restricted radiotelegraph operator permits.

(c) Aircraft radio stations: Aircraft radio stations using radiotelephony shall be operated by persons holding any class of commercial radio operator license or permit or an aircraft radiotelephone operator authorization.

(d) Ground radio stations: Each transmitter shall be operated in the manner prescribed in this paragraph:

(1) Except under the circumstances specified in paragraphs (a) and (b) of this section, and subject to the provisions of subparagraphs (4) (5) and (6) of this paragraph, an unlicensed person may operate a land mobile station during the course of normal rendition of service when transmitting on frequencies above 25 Mc after being authorized to do so by the station licensee.

(2) Except under the circumstances specified in paragraphs (a) and (b) of this section, and subject to the provisions of subparagraphs (4) (5) (6) and (7) of this paragraph, only a person holding a commercial radio operator license or permit of any class issued by the Commission shall operate a land mobile station during the course of normal rendition of service when transmitting on frequencies below 25 Mc: *Provided, however*, That an unlicensed person, after being authorized to do so by the station licensee, may operate such a land mobile station during the course of normal rendition of service when transmitting on frequencies below 25 Mc while it is associated with and under the operational control of a base station of the same station licensee.

(3) Except under the circumstances specified in paragraphs (a) and (b) of this section, and subject to the provisions of subparagraphs (4) (5), (6) and (7) of this paragraph, land stations shall be operated when transmitting during the course of normal rendition of service by a person holding a commercial radio op-

erator license or permit of any class, which licensed operator may permit other persons to transmit or to communicate over the facilities of the station in accordance with the term of the station license: *Provided*, That the licensed operator shall remain in full control of and shall be fully responsible for the emission of that station and shall suspend the radiation of the transmitter immediately when there is a deviation from the terms of the station license: *And provided further* That the person manipulating the telegraph key for the transmission by manual or semiautomatic means of telegraphy by any type of the Morse Code by such station shall hold a class of radiotelegraph operator's license which is valid for the operation of that station.

(4) The provisions of this paragraph authorizing certain unlicensed persons to operate certain stations when transmitting during the course of normal rendition of service, shall be applicable only to stations in the domestic service. For the purposes of this section, a station in the domestic service is one which is located within the United States, its territories or possessions and which, when communicating with other stations is in communication exclusively with one or more other United States stations which are also located in the United States, its territories or possessions; a station in the international service is one which is not in the domestic service as just defined.

(5) The provisions of this paragraph authorizing certain unlicensed persons to operate land mobile stations shall not be construed to change or diminish in any respect the responsibility of station licensees to have and to maintain control over the stations licensed to them (including all transmitter units thereof) or for the proper functioning and operation of those stations (including all transmitter units thereof) in accordance with the terms of the licenses of those stations.

(6) Notwithstanding any other provisions of this paragraph, unless the transmitter is so designed that none of the operations necessary to be performed during the course of normal rendition of service may cause off-frequency operation or result in any unauthorized radiation, such transmitter shall be operated by a person holding a first or second class commercial radio operator license (either radiotelephone or radiotelegraph as may be appropriate for the type of emission being used) issued by the Commission.

(7) Any reference in this paragraph to a commercial radio operator license or permit of any class issued by the Commission shall not be construed to include Aircraft Radiotelephone Operator Authorizations.

SUBPART T—AERONAUTICAL ADVISORY STATIONS

§ 9.1001 *Eligibility for station license.* (a) Authorizations for aeronautical advisory stations will be issued only to the owner or operator of a landing area, not served by an airdrome control station.

(b) Only one aeronautical advisory station will be authorized at a landing area.

§ 9.1002 *Frequencies available.* 122.8 megacycles, 6A3 emission: For communications with private aircraft stations. In so far as the availability of this frequency is concerned, an air carrier aircraft weighing less than 10,000 pounds shall not be considered a private aircraft.

§ 9.1003 *Power output.* The power output of Aeronautical Advisory stations shall not exceed 10 watts.

§ 9.1004 *Scope of service.* Aeronautical advisory stations shall not be used for air traffic control. Such stations, for the purpose of communicating with aircraft engaged in civil defense activities, may be moved from place to place and operated at unspecified locations, except at landing areas served by airdrome control stations or other aeronautical advisory stations. Permissible communications of an aeronautical advisory station are as follows:

(a) *Advisory.* Communications shall be limited to the necessities of safe and expeditious operation of aircraft, pertaining to the conditions of runways, types of fuel available, wind conditions, available weather information or other information necessary for aircraft operations.

(b) *Civil defense.* (1) The frequency 122.8 Mc. may be used in addition to its normal purposes for communications with private aircraft engaged in organized civil defense activities in time of enemy attack or immediately thereafter.

(2) These communications also may be handled on a secondary basis to provide communication with private aircraft engaged in organized civil defense activities in preparation for anticipated enemy attack.

NOTE: "Civil defense" is defined, for this purpose, in accordance with section 3 (b) of the Federal Civil Defense Act of 1950, Public Law 920, 81st Congress as follows:

The term "civil defense" means all those activities and measures designed or undertaken (1) to minimize the effects upon the civilian population caused or which would be caused by an attack upon the United States, (2) to deal with the immediate emergency conditions which would be created by any such attack, and (3) to effectuate emergency repairs to, or the emergency restoration of, vital utilities and facilities destroyed or damaged by any such attack. Such term shall include, but shall not be limited to, (a) measures to be taken in preparation for anticipated attack (including the establishment of appropriate organizations, operational plans, and supporting agreements; the recruitment and training of personnel; the conduct of research; the procurement and stockpiling of necessary materials and supplies; the provision of suitable warning systems; the construction or preparation of shelters, shelter areas, and control centers; and when appropriate, the non-military evacuation of civil population), (b) measures to be taken during attack (including the enforcement of passive defense regulations prescribed by duly established military or civil authorities; the evacuation of personnel to shelter areas; the control of traffic and panic; and the control and use of lighting and civil communications); and (c) measures to be taken following attack (including activities for fire fighting; rescue, emergency medical, health and sanitation services; monitoring for specific hazards of special weapons; unexploded bomb reconnaissance;

essential debris clearance; emergency welfare measures; and immediately essential emergency repair or restoration of damaged vital facilities).

§ 9.1005 *Operator requirements.* (a) An Aeronautical Advisory station shall be operated, when transmitting during the normal rendition of service, by a person holding a commercial radio operator license or permit of any class except an aircraft radiotelephone operator authorization.

(b) Aircraft radio stations using radiotelephony, when transmitting during the normal rendition of service, shall be operated by persons holding any class of commercial radio operator license or permit or an aircraft radiotelephone operator authorization.

(c) All transmitter adjustments or tests during or coincident with the installation, servicing, or maintenance of a radio station, which may affect the proper operation of such station, shall be made by or under the immediate supervision and responsibility of a person holding a first or second class commercial radio operator license, either radiotelephone or radiotelegraph, who shall be responsible for the proper functioning of the station equipment.

SUBPART U—AERONAUTICAL METROPOLITAN STATIONS

§ 9.1101 *Eligibility for station license.* Authorizations for Aeronautical Metropolitan Stations will be issued only to the licensee of the Aeronautical Enroute Station operating in the metropolitan area.

§ 9.1102 *Frequencies available.* The frequencies available for aeronautical enroute stations are available for assignment to aeronautical metropolitan stations.

§ 9.1103 *Points of communication.* Aeronautical Metropolitan Stations are authorized to communicate primarily with aircraft and are authorized secondarily to inter-communicate with other Aeronautical Metropolitan Stations within the same metropolitan area.

§ 9.1104 *Scope of service.* Aeronautical Metropolitan Stations shall transmit only communications for the safe, expeditious and economical operation of aircraft operating between a main air terminal of a metropolitan area and subordinate landing areas. Aeronautical Metropolitan Stations shall provide non-public service of the particular class authorized, without discrimination, to any aircraft station licensee who makes cooperative arrangements for the operation and maintenance of the Aeronautical Metropolitan Stations which are to furnish such service and for shared liability in the operation of the stations.

§ 9.1105 *Application for Aeronautical Metropolitan Station.* An application on FCC Form 401 may be submitted for construction permit for any number of Aeronautical Metropolitan Stations for the same licensee in a metropolitan area. The application shall specify the location of the station at the main air terminal and the location of each station at subordinate landing areas.

SUBPART V—CONELRAD

§ 9.1201 *Scope and objective.* (a) Sections 9.1201 to 9.1205 applies to all stations in the aviation services and is for the purpose of providing for the alerting and operation of radio stations in the aviation services during periods of air attack or imminent threat thereof.

(b) The aim of this plan is to minimize the navigational aid that may be obtained by an enemy from the signals of aviation radio stations, while simultaneously providing for continued radio service to the extent necessary for the safety or control of friendly aircraft.

§ 9.1202 *General.* All radio stations in the aviation services are required to provide for receiving the Radio Alert and to operate in accordance with §§ 9.1201 to 9.1205.

§ 9.1203 *Definitions.* (a) The term "CONELRAD" is a contraction of the words, "Control of Electromagnetic Radiation," and is the general term applied to the controlled operation of radio facilities under the authority of Executive Order 10312, dated December 10, 1951.

(b) Radio Alert is the term applied to the military warning that an air attack is probable or imminent, which automatically orders the immediate implementation of the controlled operations of all radio stations. The Radio Alert is distinct from the military or civil defense warnings, Yellow, Red or White, but may be coincidental with such warnings.

§ 9.1204 *Alerting.* (a) All stations in the aviation services licensed by the Federal Communications Commission will be responsible for making provisions to receive the Radio Alert when such an alert is ordered by appropriate military authorities. The term "licensed by" includes all forms of authorizations under which a radio station is operated, including station licenses, STA's etc. The Radio Alert may be received by one or more of the following methods:

(1) Ground stations directly connected to and in continuous communication with a CAA Air Route Traffic Control Center (ARTCC) may receive the Alert over the ARTCC circuit.

(2) Ground stations not connected to a CAA circuit, must:

(i) Provide a connection to an accessible CAA communications circuit, or

(ii) Provide a broadcast receiver to obtain the Radio Alert from any broadcast station (standard, FM or TV) that can be heard, or

(iii) Provide a separate receiver to monitor another station in the Aviation Service which is in direct communication with a CAA Air Route Traffic Control Center, or

(iv) Provide any other suitable method which is approved by the CAA Regional Administrator and specifically authorized by the FCC.

(b) Ground stations in the aviation radio services when advised of a CONELRAD Radio Alert, are responsible for relaying the Alert to aircraft stations.

§ 9.1205 *Operation.* (a) During a period of Radio Alert all ground stations in the aviation services will maintain radio silence, unless required by appropriate CAA Air Traffic Control Center to remain on the air for the purpose of air traffic control. Such operations will be in accordance with the CAA CONELRAD Plans dated May 1, 1953, and instructions issued by the appropriate ARTCC, under the provisions of the U. S. Department of Defense "Security Control of Air Traffic during a Military Emergency" Plan, (SCAT Plan). Licensees of ground stations in the aviation services should contact the CAA Air Route Traffic Control Center, within whose flight advisory area the station is located, for the details of operation applicable to a specific station. When not required by CAA for the purposes of security control of air traffic, all ground stations in the aviation services will promptly leave the air and maintain radio silence for the duration of a Radio Alert, except as specifically authorized in the local Air Division (Defense) SCATER Plan or by an appropriate ARTCC.

(b) During a period of Radio Alert all aircraft radio stations in the aviation radio services will maintain radio silence, except for transmissions involving the national safety, or the safety of life and property in the air. Such operations will be in accordance with the CAA CONELRAD Plan dated May 1, 1953, and the instructions of the appropriate ARTCC within whose flight advisory area the aircraft may be located.

(c) None of the provisions in §§ 9.1201 to 9.1205 shall be interpreted to preclude the operation of certain stations in the aviation radio services in connection with the activities of local, Federal, or State Civil Defense organizations, provided such operations are not in conflict with operations necessary for CAA Air Route Traffic Control, and such operations are specifically authorized by the Federal Communications Commission.

[F. R. Doc. 55-9995; Filed, Dec. 13, 1955; 8:45 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter III—Farmers Home Administration, Department of Agriculture

Subchapter B—Farm Ownership Loans

[FHA Instruction 401.2]

PART 311—BASIC REGULATIONS

SUBPART B—LOAN LIMITATIONS

TERRITORIAL SUBDIVISIONS IN PUERTO RICO

Section 311.28 of Title 6, Code of Federal Regulations (19 F. R. 1364), is amended with respect to areas designated as subdivisions in Puerto Rico by (1) revoking the designations of the subdivisions named Angeles and Utuado, and (2) designating the following identified subdivision, consisting of the entire Municipality of Utuado:

PUERTO RICO

Name of subdivision and municipalities comprising subdivision: Utuado: Utuado.

(Sec. 41 (1), 49 Stat. 1633; 7 U. S. C. 1615 (1). Interpret or applies sec. 42, 49 Stat. 1671, sec. 1 (b), 61 Stat. 433; 7 U. S. C. 1623)

Dated: December 9, 1955.

[SEAL]

R. B. McLEISH,
Administrator

Farmers Home Administration.

[F. R. Doc. 55-10045; Filed, Dec. 13, 1955; 8:59 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 146]

PART 103—RESTRICTED AREAS

ALTERATIONS

The restricted area alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy and the Air Force, through the Air Coordinating Committee, Airspace Panel, and are adopted to become effective when indicated in order to promote safety of the flying public. Since a military function of the United States is involved, compliance with the notice, procedure, and effective date, provisions of section 4 of the Administrative Procedure Act is not required.

Part 103 is amended as follows:

In § 603.10, the Miami, Florida, areas (R-169 and R-170), amended on June 29, 1955 in 20 F. R. 4539, is further amended by changing the "Time of Designation" column to read: "Daylight Only."

In § 603.11, the Fort McClellan, Alabama, area No. 2 (R-131 formerly D-131), published on June 30, 1950 in 15 F. R. 4187, is amended by changing the "Description by Geographical Coordinates" column to read: "Beginning at latitude 33°45'32", longitude 86°01'12". East to latitude 33°45'49", longitude 85°54'00"; Southeast to latitude 33°41'55", longitude 85°52'45". Southwest to latitude 33°49'15", longitude 85°54'00"; Northwest to latitude 33°41'00", longitude 85°55'45". West to latitude 33°41'00", longitude 85°57'18"; North to latitude 33°41'18", longitude 85°57'18"; West to latitude 33°41'18", longitude 86°01'12"; North to point of beginning.

(Sec. 235, 52 Stat. 924, as amended; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1057, as amended; 49 U. S. C. 551)

This amendment shall become effective December 30, 1955.

[SEAL]

R. B. LEE,
Administrator of Civil Aeronautics.

[F. R. Doc. 55-10917; Filed, Dec. 13, 1955; 8:45 a. m.]

TITLE 29—LABOR

Chapter XII—Federal Mediation and Conciliation Service

PART 1403—FUNCTIONS AND DUTIES

The regulations of the Federal Mediation and Conciliation Service are amended by adding Part 1403 as set forth below.

Sections 202 (c) and 203, Title II, of the Labor-Management Relations Act, 1947, as amended (P. L. 101, 80th Congress, 61 Stat. 153, as amended), authorize mediation and conciliation services in labor-management disputes, and suitable procedures for cooperation between the Federal Mediation and Conciliation Service (hereinafter called the Federal Service) and State and local mediation agencies.

- Sec.
1403.1 Definitions.
1403.2 Policies of the Federal Mediation and Conciliation Service.
1403.3 Obtaining data on labor-management disputes.
1403.4 Assignment of mediators.
1403.5 Relations with State and local mediation agencies.

AUTHORITY: §§ 1403.1 to 1403.5 issued under sec. 202, 61 Stat. 153, as amended; 29 U. S. C. 172. Interpret or apply sec. 203, 61 Stat. 153; 29 U. S. C. 173.

§ 1403.1 *Definitions.* As used in this part, unless the context clearly indicates otherwise.

(a) The term "commerce" means trade, traffic, commerce, transportation or communication among the several States, or between the District of Columbia or any Territory of the United States and any State or other Territory, or between any foreign country and any State, Territory, or the District of Columbia, or within the District of Columbia or any Territory or between points in the same State but through any other State or any Territory or the District of Columbia or any foreign country.

(b) The term "affecting commerce" means in commerce, or burdening or obstructing commerce or the free flow of commerce, or having led or tending to lead to a labor-management dispute burdening or obstructing commerce or the free flow of commerce.

(c) The term "labor union" or "labor organization" means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

(d) The term "State or other conciliation services" means the official and accredited mediation or conciliation establishments of State and local governments, which are wholly or partially supported by public funds.

(e) The term "proffer its services," as applied to the functions and duties of the Federal Mediation and Conciliation Service, means to make mediation services and facilities available either on its own motion or upon the request of one or more of the parties to a dispute.

§ 1403.2 *Policies of the Federal Mediation and Conciliation Service.* It is the policy of the Federal Mediation and Conciliation Service:

(a) To facilitate and promote the settlement of labor-management disputes through collective bargaining by encouraging labor and management to resolve differences through their own resources.

(b) To encourage the States to provide facilities for fostering better labor-management relations and for resolving disputes.

(c) To proffer its services in labor-management disputes in any industry affecting commerce, except as to any matter which is subject to the provisions of the Railway Labor Act, as amended, either upon its own motion or upon the request of one or more of the parties to the dispute, whenever in its judgment such dispute threatens to cause a substantial interruption to commerce.

(d) To refrain from proffering its services: (1) In labor-management disputes affecting intrastate commerce exclusively, (2) in labor-management disputes having a minor effect on interstate commerce, if State or other conciliation services are available to the parties, or (3) in a labor-management dispute when a substantial question of representation has been raised, or to continue to make its facilities available when a substantial question of representation is raised during the negotiations.

(e) To proffer its services in any labor-management dispute directly involving Government procurement contracts necessary to the national defense, or in disputes which imperil or threaten to imperil the national health or safety.

(f) To proffer its services to the parties in grievance disputes arising over the application or interpretation of an existing collective-bargaining agreement only as a last resort and in exceptional cases.

§ 1403.3 *Obtaining data on labor-management disputes.* When the existence of a labor-management dispute comes to the attention of the Federal Service upon a request for mediation service from one or more parties to the dispute, through notification under the provisions of section 8 (d) (3) Title I of the Labor-Management Relations Act, 1947, or otherwise, the Federal Service will examine the information to determine if the Service should proffer its services under its policies. If sufficient data on which to base a determination is not at hand, the Federal Service will inquire into the circumstances surrounding the case. Such inquiry will be conducted for fact-finding purposes only and is not to be interpreted as the Federal Service proffering its services.

§ 1403.4 *Assignment of mediators.* The Federal Service will assign one or more mediators to each labor-management dispute in which it has been determined that its services should be proffered.

§ 1403.5 *Relations with State and local mediation agencies.* (a) If under State or local law a State or local mediation agency must offer its facilities in a labor-management dispute in which the Federal Service is proffering its services, the interests of such agencies will be recognized and their cooperation will be encouraged in order that all efforts may be made to prevent or to effectively minimize industrial strife.

(b) If, in a labor-management dispute there is reasonable doubt that the dispute threatens to cause a substantial interruption to commerce or that there is

more than a minor effect upon interstate commerce, and State or other conciliation services are available to the parties, the regional director of the Federal Service will endeavor to work out suitable arrangements with the State or other conciliation or mediation agency for mediation of the dispute. Decisions in such cases will take into consideration the desires of the parties, the effectiveness and availability of the respective facilities, and the public welfare, health, and safety.

(c) If requested by a State or local mediation agency or the chief executive of a State or local government, the Federal Service may make its services available in a labor-management dispute which would have only a minor effect upon interstate commerce when, in the judgment of the Federal Service, the effect of the dispute upon commerce or the public welfare, health, or safety justifies making available its mediation facilities.

Signed at Washington, D. C., this 8th day of December 1955

JOSEPH F. FINNEGAN,
Director

[F. R. Doc. 55-10023; Filed, Dec. 13, 1955; 8:46 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration

PART 21—VOCATIONAL REHABILITATION AND EDUCATION

REPORTS BY INSTITUTIONS

• In § 21.2303, subparagraphs (1) and (4) of paragraph (c) are amended to read as follows:

§ 21.2303 *Reports by institutions.* ***

(c) *Administrative allowance for preparation of reports and certifications.* (1) The Administrator shall pay to each educational institution which is required to submit reports and certifications to the Veterans Administration under Public Law 550, 82d Congress, an allowance at the rate of \$1.50 per month for each eligible veteran enrolled in and attending such institution to assist the educational institution in defraying the expense of preparing and submitting such reports and certifications; *Provided*, That the allowance to be paid to the educational institution for reports and certifications covering attendance on and after September 1, 1953, shall be \$1 per month for each eligible veteran enrolled in and attending the institution.

(4) Payment of the administrative allowance will be made to the institution by the regional office only upon presentation by the institution of properly prepared vouchers with the certificates of training, except that the Manager may authorize payment of the allowance when the voucher is received subsequent to receipt of the training certificates where the failure to submit the voucher and certificates simultaneously was due to (i) a clerical error, or (ii) a previous understanding between the Manager and the institution that isolated certificates need not be accompanied by voucher.

(Sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9, sec. 2, 57 Stat. 43, as amended, sec. 400, 58 Stat. 287, as amended; 38 U. S. C. 11a, 701, 707, ch. 12A. Interprets or applies secs. 3, 4, 57 Stat. 43, as amended, secs. 300, 1500-1504, 1505, 1507, 58 Stat. 286, 300, as amended, sec. 261, 66 Stat. 663; 38 U. S. C. 693g, 697-697d, 697f, g, 971, ch. 12A)

This regulation is effective December 14, 1955.

[SEAL] J. C. PALMER,
Assistant Deputy Administrator.

[F. R. Doc. 55-10036; Filed, Dec. 13, 1955;
8:49 a. m.]

TITLE 44—PUBLIC PROPERTY AND WORKS

Chapter VII—Community Facilities Administration, Office of the Ad- ministrator, Housing and Home Finance Agency

PART 701—PROCEDURE

PART 702—ADVANCE PLANNING

MISCELLANEOUS AMENDMENTS

1. Section 701.1 is hereby amended to read as follows:

§ 701.1 *General statement.* The general course and method by which functions administered under the Community Facilities Commissioner on behalf of the Housing and Home Finance Administrator are channeled and determined are as follows: The prescribed forms for application for assistance are obtained from and filed with the Regional Office of the Housing and Home Finance Agency serving the area in which the applicant is located. The Regional Administrator of the Agency forwards the completed application and his recommendation to the Community Facilities Commissioner, Washington, D. C. Upon approval of an application by the Community Facilities Commissioner or the Housing and Home Finance Administrator as appropriate, an agreement between the Government and the applicant is executed. Further information concerning operations may be obtained from the appropriate Regional Office of the Housing and Home Finance Agency or from the Community Facilities Commissioner, Office of the Administrator, Housing and Home Finance Agency, 1626 K Street NW., Washington 25, D. C.

(Sec. 502, 62 Stat. 1283, as amended; 12 U. S. C. 1701c)

2. Section 702.1 (a) is hereby amended by adding at the end thereof the following sentence: "The authority to make new loans or advances expired on June 30, 1947, under the provisions of section 603 of the War Mobilization and Reconversion Act of 1944, 58 Stat. 792."

(Sec. 502, 62 Stat. 1283, as amended; 12 U. S. C. 1701c)

Issued as of this 14th day of December 1955.

ALBERT M. COLE,
Housing and Home
Finance Administrator.

[F. R. Doc. 55-10042; Filed, Dec. 13, 1955;
8:50 a. m.]

No. 242—3

TITLE 45—PUBLIC WELFARE

Chapter II—Bureau of Public Assist- ance, Social Security Adminis- tration, Department of Health, Education, and Welfare

PART 201—ASSISTANCE TO STATES

Part 201 is hereby amended to read as follows:

Subpart A—Approval of State Plans for Public Assistance and Certification of Grants

Sec.

- 201.1 General.
- 201.2 Approval of State plans and amend-
ments.
- 201.3 Grants.
- 201.4 Withholding certification.

Subpart B—Review and Audits

- 201.5 Continuing review of State and local
administration.
- 201.6 Public assistance and fiscal audits.

AUTHORITY: §§ 201.1 to 201.6 issued under
Titles I, IV, X, 49 Stat. 620, 627, 645, as
amended, Title XIV, 64 Stat. 555; 42 U. S. C.
301-306, 601-606, 1201-1206, 1351-1355.

SUBPART A—APPROVAL OF STATE PLANS FOR PUBLIC ASSISTANCE AND CERTIFICATION OF GRANTS

§ 201.1 *General.* The State plan is a comprehensive statement prepared by the State public assistance agency describing all pertinent aspects of its operations necessary for the Social Security Administration to reach a determination as to conformity with the specific requirements stipulated in the Social Security Act. The State plan sets forth the basic State laws enabling and limiting the administration of public assistance; a description of the agency's organization and functions; its rules and regulations governing personnel administration; policies and interpretations with regard to eligibility conditions and methods of determining the amount of assistance; fiscal operations; and reporting and research activities. Detailed instructions and suggestions for the content and submittal of the documents comprising the State public assistance plan are contained in the instructions in "Submittal of State Public Assistance Plans" in the Handbook of Public Assistance Administration.

§ 201.2 *Approval of State plans and amendments.* The set of documents setting forth the State's plan may be submitted as one plan covering the four types of assistance where the programs have a common basis of administration, or a separate plan covering any one of the four assistance programs. After approval of the original plan by the Commissioner of Social Security, all relevant changes such as new statutes, rules, regulations, interpretations, and court decisions are required to be submitted currently so that the Commissioner may determine the status of State plans for purposes of certification of grants from time to time.

(a) *Submittal.* The State public assistance plan and revisions of the plan are submitted to the Bureau of Public Assistance through the regional office. The States are encouraged to obtain consultation of the regional staff when the

plan is in process of preparation or revision.

(b) *Review.* The regional public assistance representatives are responsible for review of State plans, and they also initiate discussion with the State agency on clarification of significant aspects of the plan which come to their attention in the course of this review. State plan material on which the regional staff has questions concerning the application of Federal policy is referred with recommendations as required to the Washington office for decision. Comments and suggestions, including those of consultants in specified areas of public assistance administration, may be prepared by the central office for use by the regional representatives in negotiations with the State agency.

(c) *Approval.* The Bureau of Public Assistance has been delegated authority of initial approval of State plans as provided in Titles I, IV, X, and XIV of the Social Security Act and for approval of amendments of State plans; the Commissioner has final authority for approval of new plans. The Bureau advises the State public assistance agency of the approval of State plans or revisions, or the need for clarifying information.

§ 201.3 *Grants.* To States with approved plans, grants are made each quarter for assistance and administration. The determination as to the amount of a grant to be made to a State public assistance agency is based upon three documents submitted by the State containing information required under the Social Security Act and such other pertinent facts as may be found necessary.

(a) *Form and manner of submittal—*

(1) *Time and place.* The estimates for public assistance grants for each quarterly period are forwarded to the regional office 45 days prior to the period of the estimate, together with a certificate of State funds available and a statement in support of the estimates. The statement of quarterly expenditures and any necessary supporting schedules are forwarded to the Department of Health, Education, and Welfare, Bureau of Public Assistance, Attention: Fiscal Branch, Washington 25, D. C., not later than 30 days after the end of the quarter.

(2) *Description of forms.* (i) "Report of Estimated Expenditures and Funds to be Available" (Forms PA-101, PA-102, PA-103, or PA-145 for old-age assistance, aid to dependent children, aid to the blind, and aid to the permanently and totally disabled, respectively) represents the State agency's estimate of the number of recipients to receive aid during each of the three months of the quarter. The forms also contain the estimated average assistance payment per recipient, and the estimated expenditures for assistance and administration, from which are computed the total funds to be advanced during the quarter. Estimated expenditures that exceed the Federal statutory maxima for payments to individuals are not to be included in computing the Federal grant and are deducted from the total estimate. In addition, the report of the estimated expenditures indicates the amount of

State and local funds appropriated and available for public assistance during the pertinent quarter.

(ii) In addition, the State agency must certify as to the amount of State funds (exclusive of any balance of assistance received from the Federal government) actually on hand and available for expenditure; this certification must be signed by the executive officer of the State agency submitting the estimate material, or a person officially designated by him, or by a fiscal officer of the State if required by State law or regulation. (Form PA-151, "Certificate of Availability of State Funds for Assistance and Administration during Quarter," is available for submitting the information but is not required to be used.) If the amount of State funds, or State and local funds if localities participate in the program, shown as available for expenditures, is not sufficient to cover the State's proportionate share of the amount estimated to be expended, the certification should contain a statement showing the source from which the amount of the deficiency is expected to be derived and the time when this amount is expected to be made available.

(iii) The third document submitted by the States is the quarterly statement of expenditures for each of the categories. This is an accounting statement of the disposition of the Federal funds granted for past periods, and reflects the adjustments necessary because the State's estimate for any prior quarter was greater or less than the amount which the State expended. The statement of expenditure also shows the share of the Federal government in any recovery of assistance from recipients and also expenditures not properly subject to Federal financial participation which are acknowledged by the State agency or have been revealed in the course of the fiscal audit.

(b) *Review.* The State's estimates are analyzed by the regional office staff and are forwarded with recommendations as required to the central office. The central office of the Bureau reviews the State's estimate, other relevant information, and any adjustments to be made for prior periods, and computes the grant.

(c) *Estimate of amount due and certification.* Upon consideration and approval of the grant request, the Commissioner of Social Security estimates the amount to be paid to the States and certifies it to the Secretary of the Treasury for the ensuing quarter. Payment to the State is made by the Secretary of the Treasury for each month of the quarter.

§ 201.4 *Withholding certification.*—(a) *When withheld.* Certifications of grants to States are withheld, after reasonable notice and opportunity for hearing, in the following circumstances:

(1) When the State has changed the plan so as to impose any requirement prohibited in the Social Security Act, or when in the administration of the plan any such prohibited requirement is imposed, with the knowledge of the State agency, in a substantial number of cases; or

(2) If in the administration of the plan there is a failure to comply substantially with any provision required by the act to be included in the plan.

(b) *Informal discussions.* Such hearings are generally not called, however, until after reasonable effort has been made by regional and central office representatives to resolve the questions involved by conference and discussion with State officials. Formal notification of the date and place of hearing does not foreclose further negotiations with State officials.

(c) *Hearings.* Hearings are held in accordance with the provisions of sections 4, 404, 1004, and 1404 of the Social Security Act. The requirements of sections 5 to 8 of the Administrative Procedure Act are observed in conducting the hearings.

(d) *Notice of non-certification.* If after such hearing it is found that funds should be withheld, the State agency is notified that further payment will not be made to the State until it is shown that such prohibited requirement is no longer imposed and that there is no longer any such failure to comply. Until then, further certification to the Secretary of the Treasury is not made with respect to such State plan. (Sections 4, 404, 1004, and 1404 of the Social Security Act.)

SUBPART B—REVIEW AND AUDITS

§ 201.5 *Continuing review of State and local administration.* (a) In order to provide a basis for determining that State welfare departments are adhering to Federal requirements and to the substantive legal and administrative provisions of their approved plans, the Bureau of Public Assistance conducts a review of State and local public assistance administration.

(b) The administrative review includes analysis of procedures and policies of State and local agencies and review of records of individual recipients. A statistically valid State-wide sample of case records of recipients is selected and reviewed at periodic intervals to determine whether eligibility has been properly established. Selected case records are also reviewed for evaluating adherence to the other Federal requirements set forth in the public assistance titles of the Social Security Act. If the review reveals cases in which there appears to have been an improper claim for Federal funds, the State agency is given an opportunity to provide information to substantiate the payment, or to make an adjustment on its expenditure report. If serious problems are revealed in respect to compliance with Federal requirements, action to adjust Federal funds in all cases affected is required of the State agency; the State agency is also required to correct its practice so that there will be no recurrence of the problem in the future.

§ 201.6 *Public assistance fiscal audits.* (a) Annually, or at other times as necessary, the State public assistance agency's claims for Federal funds and supporting records are audited by the Division of Grant-in-Aid Audits of the Office of Field Administration of the Department of Health, Education, and Welfare to

determine that the agency has properly reported its accountability for grants of Federal funds for public assistance; the amounts granted for assistance payments were actually disbursed to individuals (or on behalf of individuals where medical care was concerned) who had been determined by the agency to be entitled to public assistance under the appropriate category; administrative expenditures claimed for Federal financial participation are proper under the Federal act and State plan, including State laws and regulations; amounts expended and used as the basis for claiming Federal funds under Titles I, IV, X, and XIV were not derived from other Federal sources or were not used as a basis for other Federal matching; and the share of the Federal government in any recovery was accurately and promptly adjusted.

(b) If the audit results in no exceptions, the State public assistance agency is advised by letter of this result. The general course for the disposition of exceptions resulting from audits involves the submittal of details of these exceptions to the State public assistance agency which then has an opportunity to concur in the exceptions or to assemble and submit additional facts for purposes of clearance. Provision is made for the State agency to appeal audit exceptions in which it has not concurred and which have not been deleted on the basis of clearance material. After consideration of a State agency appeal, the Commissioner advises the State agency of any expenditures in which the Federal government may not participate and requests it to include the amount as adjustments in a subsequent statement of expenditures. Expenditures in which it is found the Federal government may not participate and which are not properly adjusted through the State's claim will be deducted from subsequent grants made to the State agency.

Dated: November 28, 1955.

[SEAL] CHARLES I. SCHOTTLAND,
Commissioner of Social Security.

Approved: December 8, 1955.

M. B. FOLSOM,
Secretary of Health, Education,
and Welfare.

[F. R. Doc. 55-10038; Filed, Dec. 13, 1955;
8:49 a.m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

PART 123—FREIGHT COMMODITY STATISTICS

MISCELLANEOUS AMENDMENTS

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 23d day of November A. D. 1955.

The matter of freight commodity statistics being under consideration:

It is ordered, That the order of this Commission issued under date of September 24, 1946, as amended (49 CFR

123.1-123.5, be, and it is hereby modified, effective January 1, 1956, by the cancellation of the requirements relating to reporting the classes of freight commodity statistics by Class II railroads as indicated below:

1. Cancel the text of § 123.1 *Freight commodity statistics*, and substitute the following for it:

§ 123.1 *Freight commodity statistics.* Beginning with January 1, 1947, and continuing thereafter unless otherwise ordered, carriers by railroad, other than switching and terminal companies, subject to Part I of the Interstate Commerce Act, that are or may be assigned to the classes designated as Class I and Class II, and every receiver, trustee, executor, administrator, or assignee of any such railroad, shall compile freight traffic statistics, and each of the carriers so indicated shall report such statistics annually, and each of the Class I carriers also quarterly, in duplicate, to the Commission, according to the commodity groups and classes named in Appendix I to §§ 123.1 to 123.5. Full information shall be furnished in accordance with the following outline of terms and requirements, as supplemented by formal instructions included in the appropriate report forms when supplied.

2. Cancel § 123.2 *Items to be reported*, and substitute the following for it:

§ 123.2 *Items to be reported.* (a) The following items are to be reported quarterly and annually by Class I carriers, except that the number of carloads in Class 970, "All L. C. L. Freight," shall be omitted:

(1) Average number of miles of road operated in freight service.

(2) For each commodity class:

Revenue freight originating on respondent's road:

Terminating on line:

Number of carloads.

Number of tons (2,000 pounds).

Delivered to connecting rail carriers:

Number of carloads.

Number of tons (2,000 pounds).

Revenue freight received from connecting rail carriers:

Terminating on line:

Number of carloads.

Number of tons (2,000 pounds).

Delivered to connecting rail carriers:

Number of carloads.

Number of tons (2,000 pounds).

Total revenue freight carried:

Number of carloads.

Number of tons (2,000 pounds).

Gross freight revenue.

(b) The following items are to be reported annually by the Class II carriers for the seven commodity groups:

Number of tons (2,000 pounds) of revenue freight originating on respondent's road.

Number of tons (2,000 pounds) of revenue freight received from connecting carriers.

Total revenue freight carried:

Number of tons (2,000 pounds each).

Gross freight revenue.

It is further ordered, That a copy of this order shall be served upon each class I and class II railroad other than switching and terminal companies subject to the provision of section 20 of the Interstate Commerce Act, and upon every receiver, trustee, executor, administrator, or assignee of any such railroad, and notice of this order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

(Sec. 12, 24 Stat. 383, as amended; 49 U. S. C. 12. Interpret or apply sec. 20, 24 Stat. 339, as amended; 49 U. S. C. 20)

Objections may be filed. Any interested party may on or before 30 days after the date of this order, file with the Commission a written statement of reasons why the said modification should not become effective as provided above. Unless otherwise ordered, after consideration of such objections, the said modifications shall become effective as herein ordered.

By the Commission.

[SEAL]

HAROLD D. MCCOY,
Secretary.

[F. R. Doc. 55-10026; Filed, Dec. 13, 1955;
8:47 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

Subchapter C—Management of Wildlife Conservation Areas

REVOCATION OF CERTAIN REGULATIONS

Basis and purpose. Public hunting of deer on the Hart Mountain National Antelope Refuge, Oregon, and the Charles Sheldon Antelope Range, Nevada, and the public hunting of waterfowl on the Bowdoin National Wildlife Refuge, Montana, and the Mattamuskeet National Wildlife Refuge, North Carolina, having been authorized by administrative actions pursuant to § 18.11, Title 50, CFR, the following existing regu-

lations no longer are required and are hereby revoked upon publication of this document in the FEDERAL REGISTER:

PART 31—PACIFIC REGION

SUBPART—BOWDOIN NATIONAL WILDLIFE REFUGE, MONTANA; HUNTING

§ 31.11 *Hunting waterfowl and coots permitted.* (5 F. R. 3959)

§ 31.12 *Hunting licenses and permits.* (5 F. R. 3959)

§ 31.13 *Disorderly conduct; intoxication.* (5 F. R. 3959)

§ 31.14 *Hunting dogs.* (5 F. R. 3959)

§ 31.15 *Entry upon refuge; firearms.* (5 F. R. 3959)

§ 31.16 *Fires and camping.* (5 F. R. 3959)

SUBPART—CHARLES SHELDON ANTELOPE RANGE, NEVADA; HUNTING

§ 31.41 *Hunting permitted.* (9 F. R. 11859)

§ 31.42 *Excepted area.* (9 F. R. 11859)

§ 31.43 *Entry.* (9 F. R. 11859)

§ 31.44 *State hunting laws.* (9 F. R. 11859)

§ 31.45 *Exception.* (9 F. R. 11859)

§ 31.46 *Deer hunting permitted.* (17 F. R. 7924)

SUBPART—HART MOUNTAIN NATIONAL ANTELOPE REFUGE, OREGON; HUNTING

§ 33.131 *Hunting of deer permitted.* (9 F. R. 8189)

§ 33.132 *Area open to hunting.* (9 F. R. 8189)

§ 33.133 *Compliance with State laws and regulations.* (9 F. R. 8189)

§ 33.134 *Disorderly conduct; intoxication.* (9 F. R. 8189)

§ 33.135 *Entry upon refuge.* (9 F. R. 8189)

§ 33.136 *Limitation on hunting methods.* (17 F. R. 7995)

PART 34—SOUTHEASTERN REGION

SUBPART—MATTAMUSKEET NATIONAL WILDLIFE REFUGE, NORTH CAROLINA; HUNTING

§ 34.57 *Hunting of certain migratory game birds.* (4 F. R. 4571)

§ 34.58 *Shooting areas.* (16 F. R. 11738)

§ 34.59 *Entry upon refuge; firearms.* (4 F. R. 4571)

§ 34.60 *Shooting from blinds only.* (4 F. R. 4571)

§ 34.61 *Guides.* (4 F. R. 4571)

§ 34.62 *Limitation on hunting methods.* (4 F. R. 4571)

§ 34.63 *State cooperation in management of shooting areas.* (4 F. R. 4571)

(Sec. 10, 45 Stat. 1224, as amended; 16 U. S. C. 7151)

Dated: December 8, 1955.

DOUGLAS MCKAY,
Secretary of the Interior.

[F. R. Doc. 55-10018; Filed, Dec. 13, 1955;
8:45 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 969]

AVOCADOS GROWN IN SOUTH FLORIDA

ADMINISTRATIVE COMMITTEE RULES AND REGULATIONS

Notice is hereby given that the Department is considering the approval of a proposed amendment, hereinafter set forth, to the rules and regulations that are currently in effect pursuant to the applicable provisions of the marketing agreement, as amended, and Order No. 69, as amended (7 CFR Part 969-20 F.R. 4177) regulating the handling of avocados grown in south Florida, effective under the Agricultural Marketing Agreement of 1937, as amended (7 U. S. C. 601 et seq., 68 Stat. 906, 1047). The amendment of the said rules and regulations was proposed by the Avocado Administrative Committee, established under said amended marketing agreement and order as the agency to administer the terms and provisions thereof.

The proposed amendment is as follows:

1. Immediately following paragraph (d) of § 969.110 *Exemption certificates* insert the following new section:

§ 969.115 *Nomination procedure.* (a) Any grower who desires to be represented in a nomination meeting by a duly authorized agent and to have his vote cast by such agent in the nomination and election of nominees for grower members and alternate members to fill positions on the Avocado Administrative Committee, as provided in § 969.22 (b) (2) shall submit to the Committee, not later than January 20, a written statement containing the following:

- (1) Name of grower;
- (2) Mailing address;
- (3) Location of each avocado grove (either legal or from established landmarks);
- (4) Number of avocado trees owned;
- (5) Number of 55-pound units of avocados marketed to date during the current season;
- (6) Name of the handler of the fruit marketed;
- (7) Authorization, including the name and address, of the person who is to represent said grower at the nomination meeting.

(b) Any grower who has not filed the statement as prescribed in paragraph (a) of this section must be present at the nomination meeting to be eligible to have his vote counted in connection with the nomination and election of nominees.

(c) Any grower who, pursuant to the provisions of paragraph (a) of this section, has authorized an agent to cast such grower's vote, may rescind such authorization by appearing at the nomination meeting and exercising his right to vote in person.

All persons who desire to submit written data, views, or arguments for consideration in connection with said proposed amendment should do so by forwarding same to the Director, Fruit and Vegetable Division, Agricultural Marketing Service, U. S. Department of Agriculture, Room 2077, South Building, Washington 25, D. C., not later than the 10th day after publication of this notice in the FEDERAL REGISTER.

Dated: December 9, 1955.

[SEAL] S. R. SMITH,
Director Fruit and Vegetable
Division, Agricultural Mar-
keting Service.

[F. R. Doc. 55-10043; Filed, Dec. 13, 1955;
8:50 a. m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 120]

TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

NOTICE OF FILING OF PETITION FOR ESTABLISHMENT OF TOLERANCES FOR RESIDUES OF 1,1-DICHLORO-2,2-BIS(p-ETHYLPHENYL) ETHANE

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408 (d) (1), 68 Stat. 512; 21 U. S. C. 346a (d) (1)) the following notice is issued:

A petition has been filed by Rohm and Haas Company, Washington Square, Philadelphia 5, Pennsylvania, proposing the establishment of the following tolerances for residues of 1,1-dichloro-2,2-bis(p-ethylphenyl) ethane (also known as diethyl diphenyl dichloroethane) in or on the following raw agricultural commodities:

1. 25 parts per million in or on broccoli, brussels sprouts, cabbage, endive, kale, kohlrabi, lettuce, mustard greens, parsley, and spinach.

2. 15 parts per million in or on cherries (sweet and sour)

3. 0.2 part per million in milk; or, alternatively, that residues in milk from use of diethyl diphenyl dichloroethane on dairy animals be exempt from the requirement of a tolerance.

The analytical methods proposed in the petition for determining residues of diethyl diphenyl dichloroethane are as follows:

1. A spectrophotometric method is applicable for determination of diethyl diphenyl dichloroethane residues on cherries, lettuce, and milk. This method employs extraction with hexane and oxidation of the extractive to carboxylic or carbonyl compounds, which provide a basis for separation as well as suitable intermediates for intense color reactions or for conversion to compounds absorbing in the ultraviolet.

2. The second method is a modification of that described by Fairing and Warrington for methoxychlor and has been found applicable to all crops. It involves extraction with hexane and dehydrochlorination of the extracted diethyl diphenyl dichloroethane to the ethylene derivative. This is dissolved in hexane, treated with an adsorbent mixture to remove interfering materials, and then treated with concentrated sulfuric acid to develop a red color.

REFERENCES

Fairing, J. D., and Warrington, H. P., Jr., *Advances in Chemistry Series*, Volume 1, pages 260-265 (1950).

Gunther, F. A., and Blinn, R. C., *Analysis of Insecticides and Acaricides*, Interscience Publishers Inc., pages 481-484 (1955).

Official Methods of Analysis of the Association of Official Agricultural Chemists, Eighth Edition (1955), Sec. 24.28.

Doble, J., and Thornburg, W., *Methoxychlor: A Summary of Analytical Methods*; E. I. du Pont de Nemours and Company, Wilmington, Delaware. 51-page booklet (1951).

Dated: December 9, 1955.

[SEAL] JOHN L. HARVEY,
Acting Commissioner
of Food and Drugs.

[F. R. Doc. 55-10048; Filed, Dec. 12, 1955;
4:22 p. m.]

FEDERAL TRADE COMMISSION

[16 CFR Ch. 1]

[File No. 21-464]

PROPOSED TRADE PRACTICE RULES FOR NURSERY INDUSTRY

NOTICE OF HEARING AND OF OPPORTUNITY TO PRESENT VIEWS, SUGGESTIONS, OR OBJECTIONS

Opportunity is hereby extended by the Federal Trade Commission to any and all persons, partnerships, corporations, associations, or other parties, including farm, labor, and consumer groups, affected by or having an interest in the proposed trade practice rules for the Nursery Industry, to present to the Commission such pertinent information, suggestions, or objections as they may desire to submit, and to be heard in the premises. For this purpose copies of the proposed rules may be obtained upon request to the Commission. Such views, information, suggestions, or objections may be submitted by letter, memorandum, brief, or other communication, to be filed with the Commission not later than January 19, 1956.

Opportunity to be heard orally will be afforded at the following times and places to any such persons, partnerships, corporations, associations, or other parties, who desire to appear and be heard:

Hearing beginning at 10 a. m., e. s. t., January 9, 1956, in Room 332, Federal Trade Commission Building, Pennsylvania Avenue at Sixth Street NW., Washington, D. C., and

Hearing commencing at 10 a. m., c. s. t., January 19, 1956, in the Illinois Room of the LaSalle Hotel, 10 N. LaSalle Street at Madison, Chicago, Illinois.

After due consideration of all matters presented in writing or orally, the Commission will proceed to final action on the proposed rules.

The industry for which these rules are proposed is comprised of persons, firms, corporations, and organizations engaged in the sale, offering for sale, or distribution of trees, shrubs, vines, ornamentals, herbaceous annuals, biennials and perennials, bulbs, corms, rhizomes, and tubers,

whether collected from the wild state or grown in a commercial nursery. Not included are florists' or greenhouse plants for inside culture or use, annual vegetable plants, and gladiolus bulbs or corms (gladiolus bulbs and corms being covered by trade practice rules promulgated January 17, 1952).

These proceedings were instituted pursuant to industry application and have for their purpose the establishment of a comprehensive set of trade practice rules directed to the maintenance of fair competitive conditions within the industry, as well as to protec-

tion of the purchasing public. Regional industry trade practice conferences were held in Chicago on August 11, 1954, in San Francisco on September 14, 1954, and in New York City on September 23, 1954, and these announced hearings constitute a further step in the proceedings.

Issued: December 9, 1955.

By direction of the Commission.

[SEAL] ROBERT M. PARRISH,
Secretary.

[F. R. Doc. 53-9373; Filed, Dec. 13, 1955; 8:45 a. m.]

NOTICES

DEPARTMENT OF JUSTICE

Office of Alien Property

ARRIGO PAGNACCO

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Arrigo Pagnacco, Via Canova 12, Milan, Italy, Claim No. 41164, Vesting Order No. 201; property described in Vesting Order No. 201 (8 F. R. 625, January 16, 1943) relating to United States Patent No. 2,182,349; subject, however, to a royalty-free non-exclusive license agreement dated September 7, 1943 (License No. 202) by and between the Alien Property Custodian, predecessor to the Attorney General, and the Toledo Scale Company, Toledo, Ohio.

Executed at Washington, D. C., on December 7, 1955.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director
Office of Alien Property.

[F. R. Doc. 55-10037; Filed, Dec. 13, 1955; 8:49 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

COLORADO

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

DECEMBER 6, 1955.

The U. S. Forest Service, Department of Agriculture, has filed an application, serial No. Colorado 012205, for the withdrawal from location and entry, under the General Mining Laws, subject to existing valid claims, of the lands described below.

The applicant desires the land for use in connection with the Elk River Recreational Area for camp grounds, summer homes, organization camp, roadside strip and stream bank strip.

For a period of 30 days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, Department of the Interior, 357 New Custom House, Box 1018, Denver 1, Colorado.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

SIXTH PRINCIPAL MERIDIAN, COLORADO

ROUTE NATIONAL FOREST

Elk River Recreation Area:

T. 9 N., R. 84 W.,

Sec. 1: Lots 5, 6, 7, 8, S $\frac{1}{2}$ N $\frac{1}{2}$;

Sec. 2: Lot 5, SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$.

Sec. 3: SE $\frac{1}{4}$;

Sec. 7: Lot 12;

Sec. 8: Lots 7, 8, 11, 12, 13;

Tract 43;

Sec. 9: Lots 6, 7, 8, 9, NE $\frac{1}{4}$ SW $\frac{1}{4}$;

Tract 44;

Sec. 10: Lots 1, 2, E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$;

Sec. 18: Lots 17 and 18.

Total area, 1,465.27 acres.

MAX CARLAN,
State Supervisor.

[F. R. Doc. 55-10020; Filed, Dec. 13, 1955; 8:46 a. m.]

OUTER CONTINENTAL SHELF

SUBMISSION OF NOMINATIONS OF AREAS FOR PROSPECTIVE OIL, AND GAS AND SULPHUR LEASING

DECEMBER 8, 1955.

Pursuant to authority prescribed in 43 CFR 201.20, notice is hereby given that nomination of areas for prospective oil and gas and sulphur leasing in the

Outer Continental Shelf off the States of Louisiana and Texas may be submitted to the Manager, Bureau of Land Management, 608 Masonic Temple Building, 333 St. Charles Avenue, New Orleans 12, Louisiana, not later than February 10, 1956. Copies of any such nominations must be sent to the Oil and Gas Supervisor, Geological Survey, Department of the Interior, 1503 Masonic Temple Building, 333 St. Charles Avenue, New Orleans 12, Louisiana. Envelopes should be marked "Nominations for leasing in the Outer Continental Shelf."

Nominated areas must be identified by block numbers and names of areas as shown on the official leasing maps prepared by the Bureau of Land Management, including the West addition West Cameron Area and the East addition High Island Area. Properly described subdivisions of blocks may be nominated. Reduced copies of the official leasing maps assemble in separate sets, one for Louisiana and one for Texas, may be procured from the Manager of the New Orleans office mentioned above or the Director, Bureau of Land Management, Washington 25, D. C., at a cost of \$1 per set.

Any areas selected to be offered for competitive bidding will be published in the FEDERAL REGISTER and other publications. The published notice of lease offer will state the conditions and terms for leasing (43 CFR 201.20) and the place, date and hour at which the bids will be opened.

EDWARD WOOZLEY,
Director.

[F. R. Doc. 55-10019; Filed, Dec. 13, 1955; 8:46 a. m.]

Office of the Secretary

DESIGNATING THE EDISON HOME NATIONAL HISTORIC SITE, WEST ORANGE, NEW JERSEY

Whereas the Congress of the United States has declared it to be a national policy to preserve for the public use historic sites, buildings, and objects of national significance for the inspiration and benefit of the people of the United States; and

Whereas the Edison Home (Glenmont) located in Llewellyn Park in the Town of West Orange, County of Essex, and State of New Jersey, is recognized by the Advisory Board on National Parks, Historic Sites, Buildings, and Monuments, as possessing national significance as the home of Thomas A. Edison, noted inventor and scientist, during the years which climaxed his career; and

Whereas a cooperative agreement has been made between Thomas A. Edison, Incorporated, and the United States of America, providing for the designation, preservation, and use of the Edison Home as a national historic site:

Now, therefore, I, Douglas McKay, Secretary of the Interior, under and by virtue of the authority conferred upon the Secretary of the Interior by section 2 of the act of Congress approved August 21, 1935 (49 Stat. 666) do hereby designate the following described lands, together with related structures thereon and all appurtenances connected therewith, to be a national historic site, having the name "Edison Home National Historic Site":

All those two certain tracts or parcels of land and premises, hereinafter particularly described, situate, lying and being in the Town of West Orange, in the County of Essex and State of New Jersey:

First Parcel. Beginning on the South side of a birch tree, and in the line of Llewellyn Park, and on the South side of lands now or formerly owned by Egbert Starr; thence along said Starr's said line, and line of lands formerly owned by Llewellyn S. Haskell, South sixty-one degrees East, Eight hundred and fifty-one feet, to the middle of Glen Avenue; thence along the middle of said Glen Avenue, South, Thirty-two degrees twenty minutes West, One hundred and sixteen feet; thence along the same, South, Thirty-four degrees West, Two hundred and fifty feet; thence along the same, South, Forty degrees West, Two hundred and thirty-six feet; thence along the same, South, Forty-six degrees, forty minutes West, One hundred feet; thence along the same, South, Fifty-seven degrees twenty minutes West, Seventy-two feet and six inches, to the line of Park Way; thence, along the line of said Park Way, North, Ten degrees fifty minutes West, One hundred and fifty-one feet; thence, along the same, North, Twenty-nine degrees West, Two hundred and fifty-three feet and five inches; thence along the same, North, Forty-five degrees fifteen minutes West, One hundred and thirty-two feet; thence North, Forty-eight degrees and thirty minutes West, One hundred and twenty-five feet and four inches; thence, North, Thirty-nine degrees five minutes West, One hundred and twenty-four feet and one inch; thence, along the same, North, Seventeen degrees thirty minutes West, One hundred and thirty-six feet; thence, along the same, North, Twenty degrees and forty minutes East, Eighty-nine feet and nine inches; thence, North, Fifty-four degrees and forty minutes East, One hundred and fifty-nine feet and eight inches, and thence North, Thirty-two degrees East, Seventy-two feet, to the place of beginning. Containing Ten acres and forty-seven hundredths of an acre of land, more or less.

Second Parcel. Also, that other certain tract, or parcel of land and premises, hereinafter particularly described, situate, lying, and being on "Eagle Ridge" on the First Mountain, in the Town of West Orange, beginning in the middle of Glen Avenue, at the Northwestern corner of land formerly of Charles Harrison; thence along the middle

of said Avenue, North Thirty degrees thirty-five minutes East, Seventy-three feet three inches; thence, still along the same North, Twenty-nine degrees ten minutes East, Ninety-nine feet and thirty-three hundredths of a foot; thence still along the same North, Twenty-seven degrees East, seventy-six feet and seventy-three hundredths of a foot, to the middle of a road, fifty feet wide; thence, along the middle of said road, North, Sixty-one degrees nine minutes West, Five hundred and thirty feet and ten inches, more or less, to land, now or formerly owned by Egbert Starr; thence along said Starr's line, South, Twenty-seven degrees fifty-seven minutes West, Two hundred and fifty-five feet and seventeen hundredths of a foot, to land formerly of Charles Harrison; thence along that line South, Sixty-one degrees forty-seven minutes East, Five hundred and twenty-five feet and sixty-six hundredths of a foot, more or less, to the place of beginning. Containing three acres and seven hundredths of an acre of land, more or less.

The administration, protection, and development of this national historic site shall be exercised in accordance with the provisions of the above-mentioned cooperative agreement and the act of August 21, 1935, supra.

Warning is expressly given to all unauthorized persons not to appropriate, injure, destroy, deface, or remove any feature of this historic site.

In witness whereof, I have hereunto set my hand and caused the official seal of the Department of the Interior to be affixed, in the City of Washington, this 6th day of December 1955.

[SEAL]

DOUGLAS MCKAY,
Secretary of the Interior

[F. R. Doc. 55-10021; Filed, Dec. 13, 1955;
8:46 a. m.]

DEPARTMENT OF COMMERCE

Office of the Secretary

PAUL BUTLER

REPORT OF APPOINTMENT AND STATEMENT OF FINANCIAL INTERESTS

Report of appointment and statement of financial interests required by Section 710 (b) (6) of the Defense Production Act of 1950, as amended.

Report of Appointment

1. Name of appointee: Paul Butler.
2. Employing agency: Department of Commerce, Office of the Secretary, Office of the Under Secretary for Transportation.
3. Date of appointment: August 1, 1954.
4. Title of position: Consultant.
5. Name of private employer: Butler Company, Chicago, Ill.

CARLTON HAYWARD,
Director of Personnel.

Statement of Financial Interests

6. Names of—
 - a. Any corporations of which the appointee is an officer or director or within 60 days preceding appointment has been an officer or director, or in which the appointee owns or within 60 days preceding appointment has owned any stocks, bonds, or other financial interests;

b. Any partnerships in which the appointee is, or within 60 days preceding appointment was, a partner; and

c. Any other businesses in which the appointee owns, or within 60 days preceding appointment has owned, any similar interest.

a. Butler Company; J. W. Butler Paper Company; Butler Development Company; Butler Paper Corporations; Butler Paper Company, Denver; Butler Paper Company, Detroit; Butler Paper Company, Fort Wayne; Butler Paper Company, Inc., New Orleans; Butler Paper Company, Minneapolis; Butler Paper Company, St. Louis; Butler Memorial Building Corporation; Butler Paper Overseas Corporation; Butler Venezuelan Paper Company, S. A.; Butler Company, S. A., Customers Finance Corporation; Ramon Garcia o Hijos, S. A.; Birgrat Realty Company; Hinsdale Burial Association; Mid-States Paper Company, Inc., Mississippi Valley Paper Company; Oakbrook Polo Club; Pacific Coast Paper Company; The Paper Mills Company; Sun Ranch; Sierra Paper Company; Southwestern Paper Company of Dallas; Southwestern Paper Company of Fort Worth; Southwestern Paper Company of Houston; Standard Paper Company; York Golf Club; World Polo League, Inc., Butler Paper Company, Phoenix; Butler Paper New York Corporation; Butler Paper Company, Kansas City; Champion Paper Export Corporation; U. S. Polo Association; Arlington Park Jockey Club; Champion Paper Company, S. A.

b. Customers Finance Control; Duke Oil Company.

c. Leasehold interests in certain oil wells in the States of: Texas, Oklahoma, Illinois, Colorado, Utah, Louisiana, California.

Dated: December 3, 1955.

PAUL BUTLER.

[F. R. Doc. 55-10040; Filed, Dec. 13, 1955;
8:50 a. m.]

ROBERT L. TURNER

REPORT OF APPOINTMENT AND STATEMENT OF FINANCIAL INTERESTS

Report of appointment and statement of financial interests required by section 710 (b) (6) of the Defense Production Act of 1950, as amended.

Report of Appointment

1. Name of appointee: Robert L. Turner.
2. Employing agency: Department of Commerce, Office of the Secretary, Office of the Under Secretary for Transportation.
3. Date of appointment: June 19, 1952.
4. Title of position: Consultant (Air Transportation)
5. Name of private employer: North-east Airlines, Inc.

[SEAL]

CARLTON HAYWARD,
Director of Personnel.

Statement of Financial Interests

6. Names of—
 - a. Any corporations of which the appointee is an officer or director or within 60 days preceding appointment has been an officer or director, or in which the appointee owns or within 60 days preceding appointment has owned any stocks, bonds, or other financial interests;

b. Any partnerships in which the appointee is, or within 60 days preceding appointment was, a partner; and

c. Any other businesses in which the appointee owns, or within 60 days preceding appointment has owned, any similar interest.

a. Officer: Northeast Airlines, Inc.; Air Traffic Conference of America; National Defense Transportation Administration. Stock: Eastern Air Lines.

b. None.
c. None.

Dated: November 30, 1955.

ROBERT L. TURNER.

[F. R. Doc. 55-10041; Filed, Dec. 13, 1955; 8:50 a. m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

SOUTH CAROLINA

DESIGNATION OF AREAS FOR PRODUCTION EMERGENCY LOANS

For the purpose of making loans pursuant to section 2 (a) of Public Law 38, 81st Congress (12 U. S. C. 1148a-2 (a)), certain counties in the State of South Carolina have heretofore been found to have suffered from a production disaster causing a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources (January 18, 1954, 19 F. R. 1444; March 10, 1954, 19 F. R. 1524; and August 31, 1954, 19 F. R. 5633). The period for making initial Production Emergency loans in said counties was on August 31, 1954, extended until December 31, 1955 (19 F. R. 5633). The period for making initial Production Emergency loans in the counties listed below is hereby extended until December 31, 1956. Thereafter in said counties, such loans will not be made except to borrowers who previously received such assistance.

SOUTH CAROLINA

Bamberg.	Georgetown.
Beaufort.	Jasper.
Berkeley.	Kershaw.
Calhoun.	Lexington.
Charleston.	Marion.
Chesterfield.	Marlboro.
Clarendon.	Orangeburg.
Colleton.	Richland.
Dillon.	Williamsburg.
Dorchester.	

Done at Washington, D. C., this 9th day of December 1955.

[SEAL] TRUE D. MORSE,
Acting Secretary.

[F. R. Doc. 55-10034; Filed, Dec. 13, 1955; 8:49 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards

Act of 1938, as amended (52 Stat. 1066, as amended; 29 U. S. C. and Sup. 214) and Parts 522 and 527 of the regulations issued thereunder (29 CFR Parts 522 and 527), certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates applicable under section 6 of the act have been issued to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Parts 522 and 527. The effective and expiration dates, occupations, wage rates, number or proportion of learners and learning periods for certificates issued under general learner regulations (§§ 522.1 to 522.12) are as indicated below; conditions provided in certificates issued under special industry regulations are as established in these regulations.

Apparel Industry Learner Regulations (29 CFR 522.20 to 522.24, as amended April 19, 1955, 20 F. R. 2304).

Carbondale Manufacturing Co., Inc., 33 South Main Street, Carbondale, Pa., effective 12-5-55 to 12-4-56; 10 learners for normal labor turnover purposes (dresses).

Day's Tailor-d Clothing, Inc., 29th and Pacific Avenue, Tacoma, Wash., effective 11-28-55 to 11-27-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's trousers, men's and boys' jackets).

Finart Creations, Inc., Central City, Ky., effective 12-2-55 to 12-1-56; 10 learners for normal labor turnover purposes (house coats, cotton dresses, dusters).

The Hercules Trousers Co., Jackson, Ohio, effective 12-1-55 to 2-20-56; 30 learners for plant expansion purposes (men's and boys' single pants).

Hickerson & Co., Brainerd, Minn., effective 12-10-55 to 12-9-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' woolen work and sport clothing).

Holland Manufacturers, 1218 East Marvin Street, Waco, Tex., effective 12-5-55 to 12-4-56; 2 learners for normal labor turnover purposes (Learners may not be engaged at subminimum wage rates in the production of ladies' suits) (ladies' dresses and suits).

Mammoth Cave Garment Co., Cave City, Ky., effective 12-11-55 to 12-10-56; 10 learners for normal labor turnover purposes (dun-garees).

Mayflower Manufacturing Co., Inc., 460-508 North Maine Avenue, Scranton, Pa., effective 12-12-55 to 12-11-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (trousers).

Oberman Manufacturing Co., Harrison, Ark., effective 12-5-55 to 12-4-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' trousers).

Puritan Foundations, Portage, Pa., effective 12-2-55 to 12-1-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (bras-sieres).

Regina Manufacturing Co., 44 Carey Avenue, Wilkes-Barre, Pa., effective 12-1-55 to 11-30-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (brasieres).

Salant & Salant, Inc., Henderson, Tenn., effective 12-13-55 to 12-12-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (cotton workshirts).

Samsons Manufacturing Corp., 525 East Fifth Street, Washington, N. C., effective 12-

10-35 to 12-9-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (sport shirts).

The Shirtmaster Co., Inc., Abbeville, S. C., effective 12-7-55 to 12-6-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' sport shirts).

Shreveport Garment Manufacturers, 1023 Polk Street, Mansfield, La., effective 12-6-55 to 12-5-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (cotton work shirts).

Stone Manufacturing Co., New Buncombe Road, Greenville, S. C., effective 12-1-55 to 11-30-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (children's and ladies' slips, and nylon slips, children's playwear).

Thomson Co., Millen, Ga., effective 12-12-55 to 12-11-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' sport and dress trousers).

Thomson Co., Thomson, Ga., effective 12-8-55 to 12-7-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' sport and dress trousers).

Trevorton Manufacturing Corp., Shamokin Street, Trevorton, Pa., effective 12-2-55 to 12-1-56; 10 learners for normal labor turnover purposes (pajamas and ladies' underpants).

Regulations Applicable to the Employment of Student-Workers (29 CFR 527.1 to 527.9, October 14, 1955, 20 F. R. 7737).

Hawaiian Millon Academy, 1433 Pensacola Street, Honolulu 9, T. H., effective 11-28-55 to 8-31-56; 5 learners to be employed in the occupations hereinafter listed; print shop; compositor, pressman, bindery worker and related skilled and semi-skilled occupations, each 590 hours at 65 cents an hour and 590 hours at 70 cents an hour; 1 learner to be employed in the occupation hereinafter listed; clerical; typist, bookkeeper and related skilled and semi-skilled occupations 300 hours and 65 cents an hour and 300 hours at 70 cents an hour.

Wisconsin Academy, Columbus, Wis., effective 11-23-55 to 8-31-56; 17 learners to be employed in the occupations hereinafter listed; furniture shop (outdoor redwood) assembler (furniture) woodworking machine operator, furniture finisher helper, and related skilled and semi-skilled occupations, each 375 hours at 65 cents an hour and 375 hours at 70 cents an hour.

Each certificate has been issued upon the employer's representation that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be canceled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of Parts 522 and 527.

Signed at Washington, D. C., this 5th day of December 1955.

MILTON BROCKE,
Authorized Representative
of the Administrator.

[F. R. Doc. 55-10022; Filed, Dec. 13, 1955; 8:26 a. m.]

CIVIL SERVICE COMMISSION

CERTAIN METEOROLOGIST POSITIONS IN CONTINENTAL UNITED STATES, INCLUDING ALASKA, AND FOREIGN COUNTRIES

NOTICE OF INCREASE IN MINIMUM RATES OF PAY

Under the provisions of section 803 of the Classification Act of 1949, as amended (68 Stat. 1106; 5 U. S. C. 1133) pursuant to 5 CFR 25.103, 25.105, the Commission has increased the minimum rate of pay for meteorologist positions at grade GS-5 in the Meteorology Series, GS-1340-0. The new rate has been set at the sixth step of the grade (\$4,345). This increase will be effective on the first day of the first pay period which begins after December 3, 1955, and applies to these positions throughout the continental United States, including Alaska, and in foreign countries.

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] WM. C. HULL,
Executive Assistant.

[F. R. Doc. 55-10039; Filed, Dec. 13, 1955; 8:50 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 7339]

MODERN AIR TRANSPORT, INC., ET AL.

NOTICE OF POSTPONEMENT OF HEARING

Modern Air Transport, Inc., John P. Becker and Aviation Management Corporation, interlocking relationship.

Notice is hereby given pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, that hearing in the above-entitled proceeding is postponed from December 13 to December 20, 1955, at 10 a. m., e. s. t., in Room 1512 Temporary Building No. 4, 17th Street and Constitution Avenue NW., Washington, D. C., before Examiner Curtis C. Henderson.

Dated at Washington, D. C., December 9, 1955.

[SEAL] FRANCIS W. BROWN,
Chief Examiner

[F. R. Doc. 55-10047; Filed, Dec. 13, 1955; 8:51 a. m.]

PROPOSED AIR STAR ROUTE

In accordance with Public Law 277 of the 81st Congress (approved August 30, 1949), notice is hereby given that the Civil Aeronautics Board has received a request from the Postmaster General (Docket No. 7545) for certification that the proposed air star route, hereinafter described, does not conflict with the development of air transportation as contemplated under the Civil Aeronautics Act of 1938, as amended.

The route proposed is as follows: To and from McCall and Cabin Creek Landing Field in Idaho.

Under the provisions of the said Public Law 277, the Postmaster General is required to obtain the certification of the Board prior to advertising for bids for the carriage of mail by aircraft on any

star route. Any contract which may ultimately be awarded by the Postmaster General under such law will not confer authority to carry persons or property (other than mail) by air.

Prior to reaching its decision as to whether the requested certification should be issued, the Board desires to afford interested persons an opportunity to comment thereon through the submission of written data, views or arguments, in triplicate, addressed to the Secretary, Civil Aeronautics Board, Washington 25, D. C. All relevant matter in communications bearing the above docket number received on or before January 9, 1956, will be considered by the Board before taking final action on the request of the Postmaster General.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

DECEMBER 9, 1955.

[F. R. Doc. 55-10046; Filed, Dec. 13, 1955; 8:51 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-9622]

CITY OF CORYDON, KY.

NOTICE OF APPLICATION TO ESTABLISH PHYSICAL CONNECTION FOR DISTRIBUTION AND SALE OF NATURAL GAS

DECEMBER 8, 1955.

Take notice that the City of Corydon, Kentucky (Applicant) filed an application on November 7, 1955, for an order pursuant to section 7 (a) of the Natural Gas Act, directing Texas Gas Transmission Corporation (Texas Gas) to establish physical connection of its transportation facilities with the facilities to be constructed for and on behalf of Applicant and to sell and deliver natural gas to Applicant for distribution and sale to the Citizens of Corydon, Kentucky, and its environs.

Applicant states that it is a municipality and is a municipal corporation of the State of Kentucky, and has the legal right to construct, operate and maintain a natural gas system for its own purposes and for the use and benefits of its inhabitants, and is legally authorized to engage in the local distribution of natural gas to the public.

Applicant states that its proposed service area has a population of about 1,000 and is about 5½ miles westerly from the Texas Gas spur line running to Spencer Chemical Company and that its estimated daily demands for the first year will be approximately 110 Mcf, for the third year approximately 300 Mcf and for the fifth year approximately 400 Mcf.

Applicant alleges that the requirement that Texas Gas make available said natural gas to Applicant will not place an undue burden upon Texas Gas nor require Texas Gas to enlarge its facilities for such purposes, nor impair its ability to render adequate service to its customers.

Protests or petitions to intervene may be filed with the Federal Power Com-

mission, Washington, D. C., in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 28th day of December 1955. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 55-10024; Filed, Dec. 13, 1955; 8:47 a. m.]

[Docket No. G-9648]

IRON RANGES NATURAL GAS Co.

NOTICE OF APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

DECEMBER 8, 1955.

Take notice that Iron Ranges Natural Gas Company (Iron Ranges), a Minnesota corporation having its principal place of business at 137 East Eighth Street, St. Paul 1, Minnesota, filed on November 14, 1955, in Docket No. G-9648, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of certain transmission pipeline facilities.

Iron Ranges proposes to construct and operate approximately 68.4 miles of transmission pipeline with a system capacity of 55,000 Mcf of gas per day together with approximately 47 miles of supply laterals to various towns and cities on the Mesabi Iron Range in Minnesota. The transmission system will extend easterly and westerly from a point of connection, located about midway between the villages of Aurora and Eveleth, Minnesota, with a proposed pipeline to be constructed by Midwestern Gas Transmission Company for which application has been filed in Docket No. G-9451.

Iron Ranges proposes to furnish natural gas at wholesale to the municipally-owned systems in Virginia and Hibbing; the system of Northwest Gas and Power Company at Chisholm and Eveleth; to two main line direct industrial customers, Minnesota Power and Light Company and Erie Mining Company, and to 14 distribution systems to be constructed and operated by Iron Ranges in the cities and villages of: Aurora, Biwabik, Bovey, Buhl, Calumet, Coleraine, Cooley, Gilbert, Grant Rapids, Hoyt Lakes, Keewatin, Marble, Mountain Iron and Nashwauk. The estimated cost of the proposed facilities is \$2,800,000. The proposed financing includes the issuance of bond debentures and common stock.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 27th day of December 1955. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 55-10025; Filed, Dec. 13, 1955; 8:47 a. m.]

INTERSTATE COMMERCE COMMISSION

[Notice 90]

MOTOR CARRIER APPLICATIONS

DECEMBER 9, 1955.

Protests, consisting of an original and two copies to the granting of an application must be filed with the Commission within 30 days from the date of publication of this notice in the *FEDERAL REGISTER* and a copy of such protest served on the applicant. Each protest must clearly state the name and street number, city and state address of each protestant on behalf of whom the protest is filed (49 CFR 1.240 and 1.241). Failure to seasonably file a protest will be construed as a waiver of opposition and participation in the proceeding unless an oral hearing is held. In addition to other requirements of Rule 40 of the General Rules of Practice of the Commission (39 CFR 1.40) protests shall include a request for a public hearing, if one is desired, and shall specify with particularity the facts, matters, and things, relied upon, but shall not include issues or allegations phrased generally. Protests containing general allegations may be rejected. Requests for an oral hearing must be supported by an explanation as to why the evidence cannot be submitted in forms of affidavits. Any interested person, not a protestant, desiring to receive notice of the time and place of any hearing, pre-hearing conference, taking of depositions, or other proceeding shall notify the Commission by letter or telegram within 30 days from the date of publication of this notice in the *FEDERAL REGISTER*.

Except when the circumstances require immediate action, an application for approval under Section 210a (b) of the Act, of the temporary operations of Motor Carrier properties sought to be acquired in an application under Section 5 (2) will not be disposed of sooner than 10 days from the date of publication of this notice in the *FEDERAL REGISTER*. If a protest is received prior to action being taken, it will be considered.

APPLICATIONS OF MOTOR CARRIERS OF PROPERTY

No. MC 200 Sub 187, filed December 5, 1955, **RISS & COMPANY, INC.**, Riss Building, 15 West 10th St., Kansas City, Mo. For authority to operate as a *common carrier* over a regular route, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Detroit, Mich., and the Assembly Plant Site of the Ford Motor Company at intersection of Michigan Highway 218 and West Lake Drive near Wixom, Mich., over Michigan Highway 16 from Detroit to junction Michigan Highway 218, thence over Michigan Highway 218 to site of Ford Motor Company Assembly Plant, and return over the same route, serving no intermediate points. Applicant is authorized to conduct regular route operations in Colorado, Connecticut, Illinois, Indiana,

Iowa, Kansas, Kentucky, Maryland, Massachusetts, Michigan, Missouri, Nebraska, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, Rhode Island, Texas, Virginia, West Virginia, and the District of Columbia, and irregular route operations in Colorado, Connecticut, Illinois, Indiana, Iowa, Kansas, Kentucky, Massachusetts, Missouri, Nebraska, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, Texas, West Virginia, and the District of Columbia.

No. MC 2815 Sub 15, filed November 29, 1955, **PENNTUCK COMPANY, INC.**, 323 West Polk Street, Chicago 7, Ill. Applicant's attorney Robert H. Griswold, Commerce Building, P. O. Box 432, Harrisburg, Pa. For authority to operate as a *common carrier*, over a regular route, transporting: *General commodities, including commodities of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment*, between Jeffersonville, Ind., and Charlestown, Ind., from Jeffersonville over Indiana Highway 62 to Charlestown, and return over the same route, serving intermediate and off-route points which are stations of The Pennsylvania Railroad Company. Applicant is authorized to conduct common carrier operations in Illinois, Indiana, Kentucky and Michigan, irregular route contract carrier operations in Illinois, Indiana, Kentucky, Ohio, Michigan and Missouri, and is affiliated with a carrier who is authorized to conduct irregular route contract carrier operations in Connecticut, New Jersey and New York.

No. MC 4409 Sub 10, filed December 5, 1955, **R. & H. CORPORATION**, 1004 Stanton Avenue, New Kensington, Pa. Applicant's attorney Harold S. Shertz, 811-819 Lewis Tower Bldg., 225 South 15th Street, Philadelphia 2, Pa. For authority to operate as a *contract carrier* over irregular routes, transporting: *Fiberboard boxes and containers*, from Clarion, Pa., to Huntington, Charleston and Fairmont, W. Va., and Bridgeton, N. J., and *bottle moulds*, between Clarion, Pa., on the one hand, and, on the other, Charleston, W. Va., and Bridgeton, N. J. Applicant is authorized to conduct operations in Alabama, Connecticut, Florida, Georgia, Indiana, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia and the District of Columbia.

No. MC 13712 Sub 8, filed November 28, 1955, **LESLIE C. ROE AND IRENE G. ROE**, doing business as **ROE MOVERS**, 15 Zimmer Avenue, Poughkeepsie, N. Y. Applicant's attorney William F. Leahy, 4 Liberty Street, Poughkeepsie, N. Y. For authority to operate as a *common carrier* over irregular routes, transporting: *Business machines, uncrated, machine models, including supplies, parts, tools, and equipment in connection therewith, and household goods as defined by the Commission*, between Poughkeepsie, N. Y., and points in New York within fifty (50) miles of Poughkeepsie, on the one hand, and, on the other,

points in Connecticut, Georgia, Maryland, New Hampshire, New York, Rhode Island, Vermont, West Virginia, Delaware, Florida, Maine, Massachusetts, New Jersey, Pennsylvania, South Carolina, Virginia, North Carolina, and the District of Columbia.

NOTE: Applicant has authority to transport *household goods* as defined by the Commission, between Poughkeepsie, N. Y., and points in New York within 30 miles of Poughkeepsie, on the one hand, and, on the other, points as more fully described in Certificate No. MC 13712, dated July 11, 1955. Applicant states that the purpose of this application is to change the operations to read as described above.

No. MC 17226 Sub 9, filed December 2, 1955, **FRUIT BELT MOTOR SERVICE, INC.**, 3909 W. Harrison St., Chicago 24, Ill. Applicant's attorney Eugene L. Cohn, One North LaSalle St., Chicago 2, Ill. For authority to operate as a *contract carrier*, over irregular routes, transporting: (1) *Machinery, parts, materials and supplies*, used in the manufacture, shipping or operation of household laundry machines, stoves and ranges, (a) between Hamilton, Ohio, on the one hand, and, on the other, St. Joseph and Benton Harbor, Mich., and La Porte, Ind., (b) from Chicago, Ill., to Hamilton, Ohio; and (2) *Sticks, pallets, racks and packing containers* used in the transportation of the above-specified commodities, from the above-specified destination points to the respective origin points. Applicant is authorized to conduct operations in Illinois, Michigan, Indiana, and Ohio.

No. MC 20793 Sub 19, filed November 28, 1955, **WAGNER TRUCKING CO., INC.**, Jobstown, N. J. Applicant's representative: G. Donald Bullock, Box 146, Wyncote, Pa. For authority to operate as a *common carrier*, over irregular routes, transporting: *Bricks*, from Gloucester County, N. J., to points in Connecticut; and *empty containers or other such incidental facilities* used in transporting the commodities specified, on return movements. Applicant is authorized to conduct operations in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont and Virginia, and the District of Columbia.

No. MC 41002 Sub 12, filed December 2, 1955, **THE VICTOR TRANSIT CORPORATION**, P. O. Box 115, Winton Place Station, Cincinnati 32, Ohio. Applicant's attorney Richard H. Brandon, Hartman Building, Columbus 15, Ohio. For authority to operate as a *contract carrier* over irregular routes, transporting: *Glass containers and caps, covers and tops* therefor, and *corrugated paperboard containers*, knocked down, from Vienna, W. Va., to points in Illinois, Indiana, Kentucky, Tennessee and Alabama. Applicant is authorized to conduct operations in Illinois, Indiana, Kentucky, Michigan, Missouri, New York, Ohio, Pennsylvania, West Virginia and Wisconsin.

No. MC 47142 Sub 53, filed December 5, 1955, **C. I. WHITTEN TRANSFER COMPANY**, a corporation, 200—19th St., Huntington, W. Va. Applicants' attor-

ney, Chas. I. Dodrill, West Virginia Building, Huntington, W. Va. For authority to operate as a *common carrier*, over irregular routes, transporting: *Class A, B, and C explosives, blasting supplies, and used empty containers* for explosives, blasting supplies and powder, between a point on Caton Farm Road at the terminal of Roy Cartage Company near Seneca, Ill. and points in Will County, Ill. within five miles of said point on Caton Farm Road, on the one hand, and, on the other, points presently authorized to be served over irregular routes in and through the states of Illinois, Indiana, Kentucky, Maryland, New Jersey, North Carolina, Ohio, Pennsylvania, Virginia, and West Virginia in the transportation of explosives, blasting supplies, and used empty containers for explosives, blasting supplies, and powder, with service at said point on Caton Farm Road and points in Will County, Ill., within five miles thereof being restricted to interchange of traffic with other carriers. Applicant is authorized to conduct operations in Illinois, Indiana, Kentucky, Maryland, New Jersey, North Carolina, Ohio, Pennsylvania, Virginia, and West Virginia.

No. MC 59531 Sub 69, filed November 29, 1955, AUTO CONVOY CO., a corporation, 3020 S. Haskell Avenue, Dallas, Tex. Applicant's attorney: Reagan Sayers, Century Life Building, Fort Worth, Tex. For authority to operate as a *common carrier* over irregular routes, transporting: *New automobiles, new trucks and new chassis*, in secondary movements, by driveaway and truckaway service, (1) from Quapaw, Okla., and Texarkana, Tex., Ark., to points in New Mexico, (2) between points in New Mexico, and (3) between points in Texas and New Mexico. *Damaged shipments* of the above-specified commodities on return. Applicant is authorized to conduct operations in Louisiana, Oklahoma and Texas.

No. MC 60610 Sub 3, filed November 29, 1955, ARVILLE STONECIPHER and WILSON BRANDENBURG, doing business as STEPRO TRANSFER LINE, 102 South Mulberry St., Corydon, Ind. Applicant's attorney: Ollie L. Merchant, 712 Louisville Trust Building, Louisville 2, Ky. For authority to operate as a *common carrier* transporting: *General Commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, (1) over a regular route between Palmyra, Ind., and Corydon, Ind., over Indiana Highway 135, serving the intermediate point of Central Barren, Ind., unrestricted, and serving the terminus for joinder or connecting purposes only in connection with regular route operations between (a) Corydon, Ind., and Louisville, Ky., and (b) Fredericksburg, Ind., and Louisville, Ky., and (2) over irregular routes between points in Floyd County, Ind. south of a line commencing at New Albany, Ind., thence extending over U. S. Highway 460 to junction Indiana Highway 64, and thence over Indiana Highway 64 to the Floyd-Harrison Counties, Ind. line, and those in Harrison County, Ind.

south of Indiana Highway 64 (excluding Crandall, New Salisbury, and Corydon Junction, Ind., points located on the specified portions of U. S. Highway 460 and Indiana Highway 64, and those located on that portion of U. S. Highway 460 extending between the junction of U. S. Highway 460 and Indiana Highway 64, and the Harrison-Crawford Counties, Ind. line) on the one hand, and, on the other, Louisville, Ky., with service to and from those points located within 10 miles of Corydon, Ind. being restricted to the transportation of *livestock*. Applicant is authorized to conduct operations in Indiana, and Kentucky.

No. MC 61265 Sub 47, filed November 21, 1955, SOUTHEASTERN TRUCK LINES, INC., Hill Blanton Avenue, Nashville, Tenn. Applicant's attorney: Walter Harwood, 515 Nashville Trust Building, Nashville 3, Tenn. For authority to operate as a *common carrier* over regular routes, transporting: *General commodities*, except those of unusual value, Class A and B explosives, sand, gravel, coal, livestock, automobiles, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment or refrigeration (1) between Hopkinsville, Ky., and Bowling Green, Ky., from Hopkinsville over U. S. Highway 68 to Bowling Green, and return over the same route, serving no intermediate points, as an alternate or connecting route, in connection with carrier's regular route operations between (a) Cincinnati, Ohio, and Atlanta, Ga., via Nashville, Tenn., (b) Nashville, Tenn., and Hopkinsville, Ky., which is a portion of regular route operations between Nashville, Tenn., and Evansville, Ind., and (c) Hopkinsville, Tenn., and Nashville, Tenn., and (2) between Paris, Tenn., and Bowling Green, Ky., from Paris over U. S. Highway 79 to junction U. S. Highway 68 at or near Russellville, Ky., thence over U. S. Highway 68 to Bowling Green, and return over the same route, serving no intermediate points, as an alternate or connecting route, in connection with carrier's regular route operations between (a) Cincinnati, Ohio, and Atlanta, Ga., via Nashville, Tenn., (b) Nashville, Tenn., and Huntingdon, Tenn., which is a portion of regular route operations between Nashville, Tenn., and Atwood, Tenn., (c) between Paris, Tenn., and Huntingdon, Tenn., which is a portion of regular route operations between St. Louis, Mo., and Decaturville, Tenn., subject to restriction between McKenzie and Huntingdon, Tenn., (d) Brownsville, Tenn., and Union City, Tenn., via Paris, Tenn., and (e) the applied-for route (1) hereinabove. Applicant is authorized to conduct operations in Georgia, Illinois, Indiana, Kentucky, Missouri, Ohio, and Tennessee.

No. MC 65941 Sub 16, filed November 28, 1955, TOWER LINES, INC., P. O. Box 907, North 3rd and Warwood Avenue, Wheeling, W. Va. For authority to operate as a *common carrier*, over irregular routes, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, from points in

that part of Georgia on and north of a line beginning at Augusta and extending along U. S. Highway 1 to Louisville, thence along Georgia Highway 24 to junction Georgia Highway 22, and thence along Georgia Highway 22 through Macon to Columbus, and those in that part of North Carolina and South Carolina on, north and west of U. S. Highway 1 to Wheeling, W. Va., and points in West Virginia within 30 miles of Wheeling, Clarksburg, and Mannington, W. Va., and Martins Ferry, Ohio. Applicant is authorized to conduct operations in Georgia, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia and West Virginia.

No. MC 66562 Sub 1257, filed November 10, 1955, (Amended) published November 23, 1955, page 8652, RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42nd Street, New York 17, N. Y. Applicant's attorney: William H. Marx, same address as applicant. For authority to operate as a *common carrier*, over a regular route, transporting: *General commodities*, including *Class A and B explosives*, moving in express service, between Buffalo, N. Y., and Punxsutawney, Pa., from Buffalo over New York Highway 240 to junction New York Highway 39, thence over New York Highway 39 to Springville, N. Y., thence over U. S. Highway 219 to DuBois, Pa., thence over U. S. Highway 119 to Punxsutawney, and return over the same route, serving the intermediate points of Orchard Park, Jewettville, Colden, Springville, and Ellcottville, N. Y., and Bradford, Ridgway, Brockway, DuBois, and Sykesville, Pa., and the off-route points of Salamanca, N. Y., and Mount Jewett and Falls Creek, Pa. RESTRICTION: (a) The authority applied for is subject to the condition that service to be performed shall be limited to service which is auxiliary to, or supplemental of, air or railway express service; (b) Shipments transported by carrier shall be limited to those moving on a through bill of lading or express receipt, covering, in addition to the motor carrier movement by carrier, an immediately prior or immediately subsequent movement by air or rail; and (c) Such further specific conditions as the Commission in the future may find it necessary to impose in order to restrict carrier's operation to service which is auxiliary to, or supplemental of, air or railway express service. Applicant is authorized to conduct operations throughout the United States.

No. MC 66562 Sub 1258, filed November 10, 1955, (Amended) published November 23, 1955, page 8653, RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42nd Street, New York 17, N. Y. Applicant's attorney: William H. Marx, same address as applicant. For authority to operate as a *common carrier*, transporting: *General commodities*, including *Class A and B explosives*, moving in express service, serving Evans City, Pa., as an intermediate point, and Marx, Pa., as an off-route point in connection with applicant's regular route operations between Pittsburgh, Pa., and Butler, Pa. RESTRICTION: (a) The service to be performed by carrier shall be limited to service which is auxiliary to, or supple-

mental of, air or railway express service; (b) Shipments transported by carrier shall be limited to those moving on a through bill of lading or express receipt covering in addition to the motor carrier movement by carrier, an immediately prior or immediately subsequent movement by air or rail; and (c) Such further specific conditions as the Commission in the future may find it necessary to impose in order to restrict carrier's operation to service which is auxiliary to, or supplemental of, air or railway express service. Applicant is authorized to conduct operations throughout the United States.

NO. MC 68078 Sub 15, filed November 7, 1955, published in the November 23, 1955 issue, on Page 8653, amended November 28, 1955, CENTRAL MOTOR EXPRESS, INC., 2909 South Hickory Street, P. O. Box 1968, Chattanooga, Tenn. Applicant's attorney: E. Blaine Buchanan, 1024 James Building, Chattanooga 2, Tenn. For authority to operate as a *common carrier* over regular routes, transporting: *General commodities*, except those of unusual value, Class A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, (1) between Cleveland, Tenn., and Knoxville, Tenn., from Cleveland over U. S. Highway 64 to junction U. S. Highway 411, thence over U. S. Highway 411 to Maryville, Tenn., thence over Tennessee Highway 73 to Knoxville, and return over the same route, restricted against freight originating at Knoxville, Tenn., and destined to Maryville, Tenn., or intermediate points between Knoxville and Maryville and against freight originating at Maryville, Tenn., and intermediate points between Maryville and Knoxville, Tenn., to Knoxville, (2) between Athens, Tenn., and Etowah, Tenn., from Athens over Tennessee Highway 30 to Etowah, and return over the same route, (3) between Athens, Tenn., and Englewood, Tenn., from Athens over Tennessee Highway 39 to Englewood, and return over the same route, (4) between Sweetwater, Tenn., and Tellico Plains, Tenn., from Sweetwater over Tennessee Highway 68 to Tellico Plains, and return over the same route, (5) between junction U. S. Highways 129 and 411 about six miles southward of Maryville, Tenn., and the Tennessee-North Carolina State line, from junction U. S. Highways 129 and 411 over U. S. Highway 129 to the Tennessee-North Carolina State line, and return over the same route, (6) between McGhee, Tenn., and junction Tennessee Highway 72 and U. S. Highway 129, from McGhee over Tennessee Highway 72 to junction U. S. Highway 129, and return over the same route, and (7) between junction U. S. Highways 64 and 411 at or near Ocoee, Tenn., and Tenna, Ga., from junction U. S. Highways 64 and 411 at or near Ocoee, Tenn., southward over U. S. Highway 411 to Tenna, Ga., and return over the same route. Serving all intermediate points on the above-specified routes, except Benton, Tenn., on Route (1). Applicant is authorized to conduct operations in Alabama, Georgia, and Tennessee.

NOTE: Applicant states it proposes to tack the foregoing described routes to its present authority.

No. MC 87689 Sub 4, filed December 2, 1955, INTER-CITY TRUCK LINES, LIMITED, 123 Duchess Street, Toronto, Ontario, Canada. Applicant's representative: Floyd B. Piper, Franklin Street at Mohawk, Buffalo 2, N. Y. For authority to operate as a *common carrier* over irregular routes, transporting: *General commodities*, except those of unusual value, Class A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Buffalo, N. Y., on the one hand, and, on the other, the port of entry on the International Boundary line between the United States and Canada at or near Buffalo. Applicant is authorized to conduct operations in Michigan and New York, over regular and irregular routes.

NOTE: Applicant is authorized to conduct the above-described operation, restricted to the transportation of shipments originating at or destined to points in Canada. Applicant states that the purpose of this application is to remove the restriction.

No. MC 105940 Sub 2 filed December 1, 1955, SAFEWAY TRUCKING CORPORATION, 84 Randolph Place, West Orange, N. J. Applicant's representative: Edward F. Bowes, 1060 Broad Street, Newark, N. J. For authority to operate as a *common carrier*, over irregular routes, transporting: *Candy and confectioneries*, from Hackettstown, N. J., to points in the New York Commercial Zone, as defined by the Commission, and *materials, equipment and supplies* used in the manufacture, packaging, sale and distribution of candies and confectioneries on return. Applicant holds authority to conduct operations in New Jersey and New York.

No. MC 107496 Sub 66, filed November 18, 1955, RUAN TRANSPORT CORPORATION, a corporation, 408 S. E. 30th St., Des Moines, Iowa. For authority to operate as a *common carrier*, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from Sugar Creek, Mo., excluding any points in the commercial zone thereof which may be located in Kansas, to points in Iowa. Applicant is authorized to conduct operations in Illinois, Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin.

No. MC 109914 Sub 9, filed August 10, 1955, DUNDEE TRUCK LINE, INC., 660 Sterling Street, Toledo, Ohio. Applicant's attorney: Arthur R. Cline, 420 Security Building, Toledo 4, Ohio. For authority to operate as a *common carrier* over regular routes, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, livestock, uncrated household or office furnishings, commodities in bulk, and those requiring special equipment, (1) between Angola, Ind., and Hillsdale, Mich., from Angola over U. S. Highway 27 to junction U. S. Highway 112, thence over U. S. Highway 112 to Jonesville, Mich., and thence over U. S. Highway 99 to Hillsdale, and return over the same

route, serving no intermediate points, as an alternate or connecting route, for operating convenience only, in connection with carrier's regular route operations between (a) Toledo, Ohio, and Angola, Ind., (b) Angola, Ind., and junction U. S. Highway 127 and Michigan Highway 120, (c) Hillsdale, Mich., and Toledo, Ohio, (d) junction U. S. Highway 20 and Ohio Highway 15 and Hillsdale, Mich., and (e) carrier's alternate route operations between Hillsdale, Mich., and Saline, Mich., (2) between junction Michigan Highways 49 and 120 and Hillsdale, Mich., from junction Michigan Highways 49 and 120 over Michigan Highway 49 to junction U. S. Highway 112, thence over U. S. Highway 112 to Jonesville, Mich., and thence over Michigan Highway 99 to Hillsdale, and return over the same route, serving no intermediate points, as an alternate or connecting route, for operating convenience only, in connection with carrier's regular route operations between (a) Angola, Ind., and junction U. S. Highway 127 and Michigan Highway 120, (b) junction U. S. Highway 20 and Ohio Highway 49 and junction Michigan Highways 49 and 120, (c) Hillsdale, Mich., and Toledo, Ohio, (d) junction U. S. Highway 20 and Ohio Highway 15 and Hillsdale, Mich., and (e) carrier's alternate route operations between Hillsdale, Mich., and Saline, Mich., (3) between Toledo, Ohio, and Delphos, Ohio, from Toledo over combined U. S. Highways 25 and 68 to junction Ohio Highway 12, thence over Ohio Highway 12 to junction U. S. Highway 30N, thence over U. S. Highway 30N to Delphos, and return over the same route, serving no intermediate points, as an alternate or connecting route, for operating convenience only, in connection with carrier's regular route operations between (a) Dundee, Mich., and Toledo, Ohio, (b) Hillsdale, Mich., and Toledo, Ohio, (c) Toledo, Ohio, and Angola, Ohio, (d) Toledo, Ohio, and Waldron, Ohio, (e) Van Wert, Ohio, and Toledo, Ohio, (f) Van Wert, Ohio, and Oakwood, Ohio, (g) Detroit, Mich., and Toledo, Ohio, and (h) Wauseon, Ohio, and Toledo, Ohio, and (4) between Toledo, Ohio, and Ottoville, Ohio, from Toledo over combined U. S. Highways 25 and 68 to junction U. S. Highway 224, thence over U. S. Highway 224 to Ottoville, and return over the same route, serving no intermediate points, as an alternate or connecting route, for operating convenience only, in connection with carrier's regular route operations between (a) Dundee, Mich., and Toledo, Ohio, (b) Hillsdale, Mich., and Toledo, Ohio, (c) Toledo, Ohio, and Angola, Ind., (d) Toledo, Ohio, and Waldron, Mich., (e) Van Wert, Ohio, and Toledo, Ohio, (f) Van Wert, Ohio, and Oakwood, Ohio, (g) Detroit, Mich., and Toledo, Ohio, and (h) Wauseon, Ohio, and Toledo, Ohio. Applicant is authorized to conduct operations in Indiana, Michigan and Ohio.

No. MC 110505 Sub 24, filed November 7, 1955, RINGLE TRUCK LINES, INC., 601 S. Grant Ave., Fowler, Ind. Applicant's attorney: Robert C. Smith, 512 Illinois Building, Indianapolis 4, Ind. For authority to operate as a *common carrier*, over irregular routes, transport-

ing: *Agricultural implements, agricultural machinery, and parts thereof*, (1) from Shelbyville, Ill., to points in Alabama, Connecticut, Delaware, Florida, Georgia, Louisiana, Maine, Maryland, Massachusetts, North Carolina, New Hampshire, New Jersey, New York, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Texas, Vermont, Virginia, West Virginia, and the District of Columbia; and (2) from Streator, Ill., to points in Alabama, Connecticut, Delaware, Florida, Georgia, Louisiana, Maine, Maryland, Massachusetts, North Carolina, New Hampshire, New Jersey, New York, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Texas, Vermont, Virginia, West Virginia, Arkansas, Indiana, Kentucky, Michigan, Mississippi, Ohio, Tennessee, and the District of Columbia; and *articles of iron and steel manufacture*, such as bars, sheets, beams, etc., from points in Mahoning, Lorain, Cuyahoga, and Trumbull Counties, Ohio, to points in Iowa, and to points in Illinois, except those in Illinois within the Chicago, Ill., Commercial Zone as defined by the Commission, and those in Illinois within the St. Louis, Mo., Commercial Zone, as defined by the Commission. Applicant is authorized to conduct operations in Illinois, Indiana, Iowa, and Ohio.

NO. MC 112266 Sub 1, filed November 28, 1955, CRAYCRAFT TRUCKING, INC., P. O. Box 222, Upper Sandusky, Ohio. Applicant's attorney: Herbert Baker, 50 West Broad Street, Columbus 15, Ohio. For authority to operate as a *common carrier* over irregular routes, transporting: *Clay products*, from Morral and Caledonia (each in Marion County), Ohio and points within five miles of each, to points in Indiana, Michigan and Ohio; and *empty containers or other such incidental facilities* used in transporting the commodities specified, on return movements. Applicant is authorized to conduct operations in Ohio and Michigan.

No. MC 113514 Sub 14, filed November 29, 1955, CHEMICAL TRANSPORTS, INC., 305 Simons Building, 1528 Main St., Dallas, Tex. Applicant's attorney: W D White, 17th Floor Mercantile Bank Building, Dallas 1, Tex. For authority to operate as a *common carrier* over irregular routes, transporting: (1) *Nitrogen Compounds*, in bulk, in tank vehicles, from North Seadrift, Tex., to points in Alabama, Arizona, Arkansas, Colorado, Kansas, Louisiana, Mississippi, New Mexico, Oklahoma, and Utah, and (2) *contaminated shipments of nitrogen compounds*, from points in the above-specified destination territory to North Seadrift, Tex. Applicant is authorized to conduct operations in Alabama, Arkansas, Kansas, Louisiana, Mississippi, Missouri, New Mexico, Oklahoma, and Texas.

No. MC 113779 Sub 28, filed November 29, 1955, YORK INTERSTATE TRUCKING, INC., 8222 Market Street Road, P. O. Box 9686, Houston, Tex. For authority to operate as a *common carrier* over irregular routes, transporting: (1) *Anhydrous ammonia*, and *nitrogen solutions*, in bulk, in tank vehicles, between Luling, La. and El Dorado, Ark., on the

one hand, and, on the other, points in Alabama, Florida, Mississippi, and Texas, and (2) *nitric acid*, in bulk, in tank vehicles, from Luling, La. and El Dorado, Ark., to Mobile, Ala., Pensacola, and Gonzales, Fla., and points in Mississippi, and Texas. Applicant is authorized to conduct operations in Arkansas, Louisiana, Mississippi, New Mexico, Oklahoma, and Texas.

No. MC 113963 Sub 2, filed November 30, 1955, ARROW EXPRESS CORPORATION, P. O. Box 1067, Chattanooga, Tenn. Applicant's attorney: Harold G. Hernly 1624 Eye Street N. W., Washington 6, D. C. For authority to operate as a *common carrier* over irregular routes, transporting: *Class A, B, and C explosives*, serving an area located on U. S. Highway 58 approximately 3 miles west of Hiltons, Va., as a point of interchange in connection with applicant's operations acquired by order No. MC-FC 55157. Applicant is conducting operations in Alabama, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee and Virginia.

No. MC 115311 Sub 3, filed November 30, 1955, J & M TRANSPORTATION CO., INC., P. O. Box 894, Americus, Georgia. Applicant's attorney: Paul M. Daniel, Grant Bldg., Atlanta, Ga. For authority to operate as a *common carrier* over irregular routes, transporting: *Agricultural containers*, such as baskets, hampers and boxes, from Americus, Ga., to points in Alabama, Florida, North Carolina, South Carolina, Mississippi, and Tennessee.

No. MC 115311 Sub 4, filed November 30, 1955, J & M TRANSPORTATION CO., INC., P. O. Box 894, Americus, Ga. Applicant's attorney: Paul M. Daniel, Grant Bldg., Atlanta, Ga. For authority to operate as a *common carrier*, over irregular routes, transporting: *Vegetable oil*, in bulk, in tank vehicles, from Moultrie, Ga., to Cleveland, Ohio.

No. MC 115396 Sub 2, filed November 30, 1955, DAVIES TRUCKING CO., INC., 6117 East Slauson Ave., Montebelle, Calif. For authority to operate as a *common carrier*, over irregular routes, transporting: *Lumber* from Coos Bay, Coquille, Dillard, Eugene, Grants Pass, Lebanon, Medford, Reedsport, Roseburg, Springfield, Willamina, and Gave Lumber Co., 13 miles west of Grants Pass, Oreg., to points in Los Angeles, Orange, and San Bernardino, Calif.

No. MC 115523 Sub 3, filed November 14, 1955, as amended, CLARK TANK LINES COMPANY, 1450 Beck St., P. O. Box 1895, Salt Lake City, Utah. For authority to operate as a *common carrier* over irregular routes, transporting: *Liquefied petroleum gases*, in bulk, in tank vehicles, from Salt Lake City, Utah and Woods Cross, Utah, Worland, Wyo., and Rangely, Colo. and points within twenty-five (25) miles of each, and Durango, Colo. and points in Colorado within twenty-five (25) miles of Durango, to points in Utah; those in Mofat, Routt, Rio Blanco, Garfield, Eagle, Mesa, Pitkin, Delta, Lake, Montrose, Gunnison, Chaffee, San Miguel, Ouray, Dolores, San Juan, Hinsdale, Montezuma, and La Plata Counties, Colo., Yellowstone National Park, Wyo. and those in Uinta, Sweetwater, Carbon,

Lincoln, Sublette, Teton, Park, Big Horn, Hot Springs, Washakie, and Fremont Counties, Wyo., those in Madison, Beaverhead, Silver Bow, Deer Lodge, Granite, Ravalli, Missoula, and Mineral Counties, Mont., those in Malheur, Harney, Baker, Wallowa, Union, and Umatilla Counties, Oreg., those in Adams, Valley, Lemhi, Washington, Custer, Clark, Fremont, Teton, Madison, Jefferson, Butte, Blaine, Camas, Elmore, Boise, Gem, Payette, Ada, Canyon, Gooding, Lincoln, Owyhee, Twin Falls, Jerome, Minidoka, Cassia, Oneida, Power, Bingham, Franklin, Bear Lake, Caribou, Bonneville, and Bannock Counties, Idaho; (2) from Woods Cross, Utah, Worland, Wyo., and Rangely, Colo. and points within twenty-five (25) miles of each, and Durango, Colo. and points in Colorado within twenty-five (25) miles of Durango, to points in White Pine, Eureka, Lander, and Elko Counties, Nevada.

No. MC 115557 Sub 1, filed November 30, 1955, CHARLES A. McCAULEY, 308 Leasure Way, New Bethlehem, Pa. Applicant's attorney: H. Ray Pope, Jr., Clarion, Pa. For authority to operate as a *common carrier* over irregular routes, transporting: *Salt* in bulk, in dump or tank vehicles, from Retsof, Livingston County, N. Y., and Watkins Glen, Schuyler County, N. Y., to points in Clarion, Jefferson, Butler, Armstrong, Beaver, Allegheny, Westmoreland, Cambria, Indiana, Clearfield, Blair, Somerset, Bedford, Washington, and Fayette Counties, Pa.

No. MC 115595 Sub 1, filed November 28, 1955, A. G. OGDEN, doing business as OGDEN TRUCKING COMPANY, P. O. Box 236, Federal Highway Naranja, Fla. Applicant's attorney: Frank B. Hand, Jr., Transportation Building, Washington 6, D. C. For authority to operate as a *common carrier*, over irregular routes, transporting: *Insecticides and fungicides*, in containers, from Bound Brook, N. J., Baltimore, Md., and Philadelphia, Pa., to points in Dade, St. Lucie, Palm Beach, Collier and Hendry Counties, Fla. Applicant is not authorized to transport the commodities specified.

No. MC 115656, filed November 1, 1955, EDWARD L. SCHLAUCH, 224 North West Street, Shenandoah, Pa. Applicant's attorney: J. W. P. Burke, Burke Building, Shenandoah, Pa. For authority to operate as a *common carrier*, over irregular routes, transporting: *Household goods*, as defined by the Commission, *household furnishings*, and *empty containers or other such incidental facilities* (not specified) used in transporting the above-described commodities, between Shenandoah and Ringtown, West Mahanoy Township, Schuylkill County, Pa., on the one hand, and, on the other, points in New York, New Jersey, Delaware, Maryland, and Connecticut.

No. MC 115679, filed November 14, 1955, BILL SMITH, doing business as SMITH TRUCK LINE, Science Hill, Ky. Applicant's attorney: Fritz Krueger, Alverson, Building, Somerset, Ky. For authority to operate as a *common carrier*, over irregular routes, transporting: *Roofing, lumber* (rough and finished),

and wood products consisting of framing for box spring mattresses, from points in Whitley, McCreary and Pulaski Counties, Ky., to Cincinnati, Ohio, and points in Hamilton and Warren Counties, Ohio, and feed, seed, fertilizer and heavy building supplies such as cement, roofing and rock-wool insulation, on return movement.

No. MC 115700, filed December 1, 1955, WILLIAM H. GILBERT and ROBERT GILBERT, Sharon Road, Amenia, N. Y. Applicant's attorney: William F. Leahey, 4 Liberty Street, Poughkeepsie, N. Y. For authority to operate as a common carrier over irregular routes, transporting: *Scrap metals*, not exceeding four feet in length, from Newburgh, N. Y. and the village of Ellenville, Ulster County, N. Y., and points in Dutchess County, N. Y., to Jersey City and Newark, N. J.

No. MC 115705, filed December 2, 1955, EDWARD WENDER, Rural Route 1, Iron Mountain, Mich. Applicant's attorney: E. A. Solie, 715 First National Bank Bldg., Madison 3, Wis. For authority to operate as a common carrier over irregular routes, transporting: *Fertilizer* from Madison, Wis., to points in the Upper Peninsula of Michigan.

APPLICATION FOR BROKERAGE LICENSE

No. MC 12636, filed November 29, 1955, DOROTHY K. BRINTNALL, doing business as TRAVEL, TRIPS AND TOURS, U. S. Highway 176, Tryon, N. C. Applicant's attorney: Boyce A. Whitmore, Hendersonville, N. C. For a license as a broker in arranging for the transportation of passengers and their baggage in the same vehicle with passengers, in special and charter operations, in interstate or foreign commerce, by motor vehicle, from Tryon, N. C., and Brevard, N. C., to all points in the United States, and return.

APPLICATIONS OF MOTOR CARRIERS OF PASSENGERS

No. MC 3700 Sub 34, filed November 28, 1955, MANHATTAN TRANSIT COMPANY, a corporation, U. S. Highway 46, East Paterson, N. J. Applicant's attorney: Robert E. Goldstein, 24 West 40th Street, New York 18, N. Y. For authority to operate as a common carrier, over irregular routes, transporting: *Passengers and their baggage* in the same vehicle with passengers, in special operations, in round-trip sightseeing or pleasure tours, (1) beginning and ending at Paterson, N. J., and extending to Shartlesville, Pa., (2) beginning and ending at Paterson, N. J., and extending to Danbury and Candlewood Lake, Conn., (3) beginning and ending at Paterson, N. J., and extending to Bushkill Falls, Pa., (4) beginning and ending at Paterson, N. J., and extending to Hershey, Pa. Applicant holds authority to conduct operations in New Jersey, New York, Connecticut, District of Columbia, Pennsylvania and Maryland.

No. MC 3705 Sub 16, filed November 28, 1955, WESTWOOD TRANSPORTATION LINES, INC., 149 Liberty Street, Little Ferry, N. J. Applicant's attorney: Robert E. Goldstein, 24 West 40th Street, New York 18, N. Y. For authority to operate as a common carrier, over ir-

regular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, in special operations, in round-trip sightseeing and pleasure tours, (1) beginning and ending at Hackensack, N. J., and extending to Shartlesville, Pa., and (2) beginning and ending at Hackensack, N. J., and extending to Danbury and Candlewood Lake, Conn. Applicant is authorized to conduct operations, over regular routes, in New Jersey and New York.

No. MC 65662 Sub 3, filed November 25, 1955, WARWICK-GREENWOOD LAKE & NEW YORK STAGES, INC., doing business as WARWICK STAGE LINE, Warwick, N. Y. Applicant's representative: Bert Collins, 140 Cedar Street, New York 6, N. Y. For authority to operate as a common carrier, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, in special round-trip seasonal operations during the authorized racing seasons of each year, of the race tracks indicated below, beginning and ending at Warwick and Greenwood Lake, N. Y., Midvale, Hackell, Paterson, Haledon, Prospect Park, Fair Lawn, East Paterson, Paramus, Lodi, Clifton, Hackensack, Union City, and Secaucus, N. J., and points within three (3) miles of each of the above points, and extending to the Yonkers Raceway, Yonkers, N. Y., Roosevelt Raceway, Westbury, L. I., N. Y., Aqueduct Race Track, and Jamaica Race Track, New York, N. Y., Belmont Park Race Track, Elmont, L. I., N. Y., Monmouth Park Jockey Club Race Track, Oceanport, N. J., Garden State Race Track, Delaware Township, N. J., Freehold Trotting Track, Freehold, N. J., Atlantic City Race Track, Hamilton Township, N. J., Delaware Park Race Track, Wilmington, Del., Pimlico Race Track, Baltimore, Md., Laurel Park Race Track, Laurel, Md., Lincoln Downs Race Track, Lincoln, R. I., Saratoga Race Track, Saratoga Springs, N. Y., Good Time Trotting Track, Goshen, N. Y., Hialeah Park Race Track, Tropical Park Race Track, and Gulfstream Race Track, Miami, Fla., and Sunshine Park Race Track, Tampa, Fla. Applicant is authorized to conduct operations in New Jersey and New York.

No. MC 106207 Sub 5, filed December 1, 1955, NEW YORK KEANSBURG, LONG BRANCH BUS LINE, INC., 1-A Carr Ave., Keansburg, N. J. Applicant's attorney: Wilmer A. Hill, Transportation Bldg., Washington, D. C. For authority to operate as a common carrier, over regular routes, transporting: *Passengers and their baggage* in the same vehicle with passengers, between Newark, N. J., and New York, N. Y., from the junction of New Jersey Turnpike and Newark Bay-Hudson County extension of the New Jersey Turnpike in Newark, N. J., thence over Newark Bay-Hudson County extension of the New Jersey Turnpike to its junction with U. S. Highway 1 in Jersey City, N. J., thence over U. S. Highway 1 to the Holland Tunnel, thence the Holland Tunnel to New York, N. Y., and return over the same route, serving no intermediate points. Applicant is authorized to con-

duct operations in New York and New Jersey.

APPLICATIONS FILED UNDER SECTION 3 (2) AND 210a (b)

No. MC-F 6149. Authority sought for control by RYDER SYSTEM, INC., 1642 N. W. 21st Terrace, Miami, Fla., of the operating rights and property of LOOMAC FREIGHT LINES, INC., 633 East St., Memphis, Tenn., and for acquisition by J. A. RYDER, J. C. PARKER, A. E. GREENS, JR., and R. N. REEDY, also of Miami, of control of said operating rights and property through the transaction. Applicant's attorney: Clarence D. Todd, 944 Washington Bldg., Washington 5, D. C. Operating rights sought to be controlled: *General commodities*, with certain exception including household goods, as a common carrier, over regular routes including routes between Huntsville, Ala., and Atlanta, Ga., between Corinth, Miss., and Athens, Ala., between Athens, Ala., and Huntsville, Ala., and from Corinth, Miss., to Iuka, Miss., serving certain intermediate points; three alternate routes for operating convenience: *general commodities*, with certain exceptions not including household goods, between Corinth, Miss., and Tishomingo, Miss., and between Corinth, Miss., and Blue Mountain, Miss., serving all intermediate points and the off-route point of Ridenzi, Miss. RYDER SYSTEM, INC., is not a motor carrier, but owns all of the capital stock of GREAT SOUTHERN TRUCKING COMPANY, which is authorized to operate in Alabama, Georgia, South Carolina, North Carolina, Florida and Tennessee. Application has not been filed for temporary authority under Section 210a (b).

No. MC-F 6150. Authority sought for direct control and merger by VIRGINIA STAGE LINES, INCORPORATED, 401 E. Water St., Charlottesville, Va., of the operating rights and property of CONSOLIDATED BUS LINES, INCORPORATED, 2004 Princeton Ave., Bluefield, W. Va., for indirect control of BLUE RIBBON LINES CORPORATION, 1108-1130 Winchester Ave., Ashland, Ky., and for acquisition by SAMUEL A. JESSUP and CLAUDE A. JESSUP both of Charlottesville, of control of such operating rights and property through the transaction. Applicant's attorney: William C. Battle, P. O. Box 1110, Charlottesville, Va. Operating rights sought to be controlled and merged: (Consolidated Bus Lines, Incorporated) *Passengers and their baggage*, as a common carrier over regular routes, including routes between Roanoke, Va., and Holden, W. Va., between Welch, W. Va., and Filbert and Twin Branch, W. Va., between Welch and Bluefield, W. Va., and Grundy, Va., between Bluefield, W. Va., and War, W. Va., between Bishop, W. Va., and Tazewell, Va., between Huntington, W. Va., and Welch and Logan, W. Va., between Pikeville, Ky., and Williamson, W. Va., and between Charleston, W. Va., and Gilbert Junction, W. Va., serving certain intermediate and off-route points; *passengers and their baggage*, in charter operations, over irregular routes, from certain points in West Virginia to points in Pennsylvania and

Ohio; (Blue Ribbon Lines Corporation), *passengers and their baggage*, as a *common carrier* over regular routes, between Catlettsburg, Ky., and Hanging Rock, Ohio, between Portsmouth, Ohio, and South Shore and Kings Addition, Ky., between Ashland, Ky., and Cincinnati and South Point, Ohio, between Russell, Ky., and Flatwoods, Ky., between Fullerton, Ky., and Carter, Ky., and between Portsmouth, Ohio, and New Boston, Ohio, serving certain intermediate points. VIRGINIA STAGE LINES, INCORPORATED, is authorized to operate in Virginia, North Carolina, and the District of Columbia. Application has not been filed for temporary authority under Section 210a (b)

No. MC-F 6151. Authority sought for control by DENVER-CHICAGO TRUCKING COMPANY, INC., 2501 Blake St., Denver, Colo., of the operating rights and property of R. B. "DICK" WILSON, INC., E. 59th & Highway 6, P. O. Box 838, Denver 1, Colo., and for acquisition by GEORGE J. KOLOWICH, DETROIT AND CLEVELAND NAVIGATION COMPANY, GRISWOLD BUILDING, INC., and WHITTIER CORPORATION, all of Detroit, Mich., and GEORGE J. KOLOWICH, JR., Denver, Colo., of control of the operating rights and property through the transaction. Applicant's attorneys: Axelrod, Goodman & Steiner, 39 S. LaSalle St., Chicago 3, Ill. Operating rights sought to be controlled: *Petroleum products*, as a *common carrier* over regular routes including routes from Casper and Sinclair, Wyo., and the Texas Company refinery near Casper to certain points in Colorado, from Eldorado, Kans., to Fort Collins and Greeley, Colo., and from Casper, Wyo., to Denver and Grand Lake, Colo., serving certain intermediate and off-route points, *petroleum products*, *crude oil*, and *anhydrous ammonia*, over irregular routes, from, to and between certain points in Wyoming, Colorado, Nebraska, South Dakota, Kansas, Utah, Idaho, and Texas; *petroleum products*, over regular and irregular routes, from Sinclair, Wyo., and the Texas Company refinery near Casper, Wyo., to certain points on the carrier's regular routes. DENVER-CHICAGO TRUCKING COMPANY, INC., is authorized to operate in Colorado, Washington, Wyoming, Utah, Idaho, Oregon, Illinois, Missouri, Kansas, Arizona, California, New Mexico, New York, Massachusetts, Indiana, Connecticut, New Jersey, Pennsylvania, Ohio, and Nebraska. Application has not been filed for temporary authority under Section 210a (b).

No. MC-F 6153. Authority sought for purchase by COOPER'S EXPRESS, INC., 320 Lowell St., Lawrence, Mass., of the operating rights of FARGO TRANSPORTATION, INC., THOMAS F. DONOVAN, TRUSTEE, 53 State St. Boston, Mass., and for acquisition by MARGARET M. COOPER, also of Lawrence, of control of such operating rights through the purchase. Applicants' attorney: John R. Mahoney, 43 Exchange Place, New York 5, N. Y. Operating rights sought to be transferred: *Wool*, *wool products*, *wool leavings*, *soap*, *oils*, *mohair silk*, *yarn*, *burlap*, *cotton*, *rayon*, and *burlap bags*, as a *common carrier*

over irregular routes, from, to and between certain points in Massachusetts and Rhode Island. Vendee is authorized to operate in Massachusetts, New York, New Hampshire, Rhode Island, Maine, Connecticut, Delaware, Maryland, Ohio, Michigan, New Jersey, and the District of Columbia. Application has been filed for temporary authority under Section 210a (b)

No. MC-F 6154. Authority sought for control by BRASWELL MOTOR FREIGHT LINES, INC., P. O. Box 1961, El Paso, Texas, of the operating rights and property of D. C. HALL COMPANY, P. O. Box 1349, Fort Worth, Texas, and for acquisition by J. V. BRASWELL, also of El Paso, of control of such operating rights and property through the transaction. Applicants' attorneys: Reagan Sayers, Century Life Bldg., Fort Worth 2, Texas, and T. S. Christopher and M. Ward Bailey, both of 807 Continental Life Bldg., Fort Worth 2, Texas. Operating rights sought to be controlled: *General commodities*, with certain exceptions including household goods, as a *common carrier* over regular routes, including routes between Fort Worth, Tex., and New Orleans, La., between Memphis, Tenn., and Monroe, La., between Shreveport, La., and Oklahoma City, Okla., between Jackson, Miss., and Memphis, Tenn., between Jackson, Miss., and New Orleans, La., between Shreveport, La., and Jackson, Miss., between Dallas, Tex., and Shreveport, La., between Leland, Miss., and Memphis, Tenn., between Jackson, Miss., and Monroe, La., between Oklahoma City, Okla., and Fort Worth and Dallas, Tex., and between Oklahoma City, Okla., and the Midwest Air Depot, located approximately four miles from Oklahoma City, serving certain intermediate points; *such commodities as require refrigeration and packinghouse food products which do not require refrigeration*, from Alexandria, La., to Camp Livingston, serving no intermediate points; *packing-house products*, *poultry*, *butter eggs*, and *cheese*, between Shreveport, La., and Camp Polk, La., and between Camp Polk, La., and Alexandria, La., serving no intermediate points; *Class A and B explosives*, including routes between Fort Worth, Tex., and New Orleans, La., between Jackson, Miss., and Memphis, Tenn., between Baton Rouge, La., and McComb, Miss., and between Shreveport, La., and Oklahoma City, Okla., serving certain intermediate points; *general commodities*, with certain exceptions including household goods, over alternate regular routes for operating convenience only, between Jackson, Miss., and New Orleans, La., and between Oklahoma City, Okla., and Tulsa, Okla., *general commodities*, with certain exceptions including household goods, over irregular routes, between Fort Worth, Tex., on the one hand, and, on the other, the Consolidated Bomber Assembly Plant and Anchorage and Dock Space, near Fort Worth. BRASWELL MOTOR FREIGHT LINES, INC., is authorized to operate in Texas, California, Arizona, and New Mexico. Application

has not been filed for temporary authority under Section 210a (b)

By the Commission.

[SEAL] HAROLD D. McCox,
Secretary.

[F. R. Doc. 55-10027; Filed, Dec. 13, 1955;
8:47 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 7-1771]

REYNOLDS METALS Co.

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

DECEMBER 8, 1955.

In the matter of application by the Boston Stock Exchange for unlisted trading privileges in Reynolds Metals Company, Common Stock, \$1 Par Value.

The above named stock exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 promulgated thereunder, has made application for unlisted trading privileges in the specified security, which is listed and registered on the New York Stock Exchange.

Upon receipt of a request, on or before December 23, 1955, from any interested person, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington 25, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application and other information contained in the official file of the Commission pertaining to the matter.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 55-10028; Filed, Dec. 13, 1955;
8:47 a. m.]

[File No. 31-632]

CHESAPEAKE INDUSTRIES, INC.

NOTICE OF FILING FOR EXEMPTION

DECEMBER 8, 1955.

Notice is hereby given that Chesapeake Industries, Inc. ("Chesapeake"), a holding company, has filed with this Commission an application pursuant to section 3 (a) (1) of the Public Utility Holding Company Act of 1935 ("act") requesting an exemption for itself and for every subsidiary company thereof, as such, from the provisions of said act. Chesapeake, an Ohio corporation, has a number of subsidiary companies only one of which, The Portsmouth Gas

Company ("Portsmouth"), is a public-utility company organized in Ohio. It is stated that Portsmouth is engaged solely in the distribution of natural gas at retail to approximately 11,600 consumers in the City of Portsmouth and adjacent territory and that the company is not now and never has been engaged in the purchase, transportation or sale of manufactured or natural gas outside the State of Ohio or the delivery of manufactured or natural gas at state lines. It is further stated that Portsmouth is subject to the jurisdiction of the Ohio Public Utilities Commission. Other than common stock, all of which is owned by Chesapeake, the only outstanding securities of Portsmouth are \$372,000 principal amount of first mortgage 4 percent bonds. All of such bonds are held by John Hancock Life Insurance Company and, according to the application, will be purchased by Chesapeake in the event the requested exemption is granted.

It is requested that the Commission's order herein become effective upon issuance.

Notice is further given that any interested person may, not later than December 21, 1955, at 5:30 p. m., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law, if any, raised by said application which he desires to controvert, or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D. C. At any time after said date, said application, as filed or as amended, may be granted or the Commission may take such other action as it may deem appropriate.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 55-10029; Filed, Dec. 13, 1955;
8:48 a. m.]

[File No. 70-3433]

ROBERT R. YOUNG AND ARTHUR S. KLEEMAN
NOTICE OF FILING REGARDING INDIRECT
ACQUISITION OF SECURITIES OF PUBLIC-
UTILITY COMPANY

DECEMBER 8, 1955.

Notice is hereby given that an application has been filed with this Commission pursuant to sections 9 (a) (2) and 10 of the Public Utility Holding Company Act of 1935 ("act") by Robert R. Young on behalf of himself and related persons and Arthur S. Kleeman on behalf of himself and related persons requesting approval of the indirect acquisition of securities of The Portsmouth Gas Company ("Portsmouth"), a public-utility company organized and doing business in Ohio.

Chesapeake Industries Inc. ("Chesapeake") an Ohio corporation, presently has pending before the Commission an

application requesting an exemption from the provisions of the act for itself and every subsidiary company thereof. (See Commission File No. 31-632.) Chesapeake has purchased all of the issued and outstanding common stock (40,000 shares) of Portsmouth under a purchase agreement dated November 1, 1955, and, in the event said exemption request is granted, intends to purchase from the John Hancock Life Insurance Company all of the other outstanding securities of Portsmouth consisting of \$372,000 principal amount of first mortgage 4 percent bonds. Under the purchase agreement Chesapeake agrees to pay \$2,500,000 for the common stock; such amount to be paid in installments of \$700,000 on December 23, 1955, and \$600,000 on November 1, 1956, 1957 and 1958 with interest at 4½ percent per annum from November 1, 1955. Chesapeake has outstanding 3,125,672 shares of voting stock consisting of 3,058,264 shares of common stock and 67,408 shares of preferred stock.

It is stated that applicants and related persons own the following shares of voting stock of Chesapeake:

Name	Common stock	Preferred stock
Robert R. Young.....	40,000	0,000
Anita O'E. Young (wife).....	100,000	0,000
Kenneth N. Young (brother).....	8,250	75
Arthur S. Kleeman.....	5	1
Elizabeth M. Kleeman (daughter).....	41	—
Francis A. Kleeman (daughter).....	41	—
Richard P. Kleeman (son).....	23	—
Pontson Corporation (Applicant Kleeman and wife are officers and sole stockholders).....	213,173	3,970

It is further stated that none of the above-named persons is an affiliate of any public-utility holding company or public-utility company other than Chesapeake and Portsmouth, respectively. It is requested that the Commission's order herein become effective forthwith upon issuance.

Notice is further given that any interested person may, not later than December 21, 1955, at 5:30 p. m., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law, if any, raised by said application, which he desires to controvert, or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D. C. At any time after said date said application, as filed or as it may be amended, may be granted as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may grant exemption from its rules as provided in Rules U-20 (a) and U-100, or take such other action as it may deem appropriate.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 55-10030; Filed, Dec. 13, 1955;
8:48 a. m.]

[File No. 70-3423]

WHEELING ELECTRIC CO.

NOTICE OF FILING REGARDING ISSUANCE AND
SALE OF PRINCIPAL AMOUNT OF NOTES TO
BANKS

DECEMBER 8, 1955.

Notice is hereby given that Wheeling Electric Company ("Wheeling") a public utility subsidiary of American Gas and Electric Company, a registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("act"). Declarant has designated sections 6 (a) and 7 of the act, and Rules U-42 (b) (2) and U-50 (a) (2) promulgated thereunder, as applicable to the proposed transactions.

All interested persons are referred to the declaration on file in the offices of the Commission for a statement of the transactions therein proposed, which are summarized as follows:

Wheeling proposes, pursuant to a bank loan agreement dated as of December 1, 1955, to borrow from the following banks, from time to time prior to December 31, 1956, not in excess of the amounts set forth below:

Mellon National Bank and Trust Co., Pittsburgh, Pa.....	\$3,000,000
Bankers Trust Co., New York, N. Y.....	1,000,000
The First National City Bank of New York.....	1,000,000
Guaranty Trust Co. of New York.....	1,000,000
Manufacturers Trust Co., New York, N. Y.....	1,000,000
Total.....	7,000,000

Each borrowing will be evidenced by a promissory note maturing December 1, 1965, with the interest rate being the prime commercial loan rate of the particular bank in effect from time to time plus ¼ of 1 percent: *Provided, however* That such interest rate shall at no time exceed 3¾ percent or be less than 2¾ percent per annum. In addition, Wheeling will pay substitute interest at the rate of ¼ of 1 percent per annum on the daily average unused amount of the commitment of each bank for the period from December 1, 1955, through December 31, 1956.

The proposed bank loan notes may be prepaid at any time without penalty unless the prepayment is made from the proceeds of, or in anticipation of, bank borrowings at a rate of interest equal to or lower than the applicable interest rate on the notes to be prepaid. In such event, with certain exceptions, a prepayment premium shall be payable computed at the rate of ¼ of 1 percent per annum of the amount prepaid, from the date of prepayment to and including December 1, 1965.

Wheeling has outstanding \$3,500,000 principal amount of 2½ percent notes payable to banks maturing December 31, 1955. The company has other outstanding notes payable to banks totaling \$1,500,000 principal amount, issued pursuant to previously authorized bank loan agreements, and states that it may make additional borrowings under such agreements prior to December 31, 1955, in an

aggregate amount of \$500,000. The declaration states that the proceeds from the initial borrowings under the authorization presently requested will be used to prepay all notes then outstanding, and that the remainder of the proceeds from the proposed bank borrowings will be used to pay in part for the construction of additional facilities, the cost of which is estimated at \$2,900,000 for the last half of 1955 and for the year 1956.

The bank loan agreement will provide, among other things, that Wheeling will not create or permit any mortgage on its property or incur any indebtedness for borrowed money if the total principal amount of all indebtedness shall exceed the lesser of (a) 62½ percent of the company's capitalization, or (b) \$12,000,000. The agreement will also provide that the company after specified notice may terminate or from time to time reduce the commitments of the banks.

The Public Utilities Commission of Ohio (in which State a portion of Wheeling's operations is conducted) has authorized the issuance and delivery of the proposed notes payable to banks in an aggregate maximum amount of \$7,000,000. The declaration states that Wheeling believes that no other State commission, and no Federal commission other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than December 23, 1955, at 5:30 p. m., e. s. t., request in writing that a hearing be held in respect of said declaration, stating the nature of his interest, the reason for such request, and the issues of fact or law raised by the declaration which he proposes to controvert, or he may request that he be notified if the Commission

orders a hearing thereon. Any such request should bear the caption of this notice and should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D. C. At any time after said date, the declaration as filed or as it may hereafter be amended, may be permitted to become effective pursuant to Rule U-23 of the rules and regulations promulgated under the act, or the transactions therein proposed may be exempted as provided by Rules U-20 (a) and U-100 thereof.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 55-10031; Filed, Dec. 13, 1955;
8:48 a. m.]

[File No. 70-3423]

NORTH SHORE GAS CO. AND NEW ENGLAND
ELECTRIC SYSTEM

SUPPLEMENTAL ORDER WITH RESPECT TO
ISSUANCE AND SALE OF BONDS

DECEMBER 8, 1955.

By order issued herein on November 23, 1955, pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 ("act") and Rule U-50 thereunder, the Commission authorized the issuance and sale by North Shore Gas Company ("North Shore"), a subsidiary of New England Electric System, a registered holding company, of \$2,500,000 principal amount of Series B bonds, to be dated as of December 1, 1955, and to mature December 1, 1975. Said bonds were to be sold pursuant to competitive bidding, were to bear an interest rate not in ex-

cess of 4 percent, and were to be sold at a price not less than 100 percent nor more than 102¾ percent of the principal amount (excluding accrued interest).

North Shore has filed an amendment to its application stating that it offered said bonds at competitive bidding and that, although two bidding groups qualified, only one bid was received when the time for the submission of bids expired on December 7, 1955, as follows:

Bidder	Interest rate	Price ¹	Cost of money	Offering price to public
Halsey Stuart & Co.	Percent 4	Percent 100.02	Percent 3.9935	Percent 101.373

¹ Excluding accrued interest from December 1, 1955.

North Shore further states that it has accepted the aforesaid bid and requests the Commission to grant its application as further amended to reflect the results of the bidding.

The Commission having examined the application as further amended and finding that the applicable standards of the act and the rules thereunder are satisfied and that no terms and conditions need be imposed other than those contained in Rule U-24:

It is ordered, That the application as further amended be, and it hereby is, granted forthwith, subject to the terms and conditions of Rule U-24.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 55-10032; Filed, Dec. 13, 1955;
8:48 a. m.]